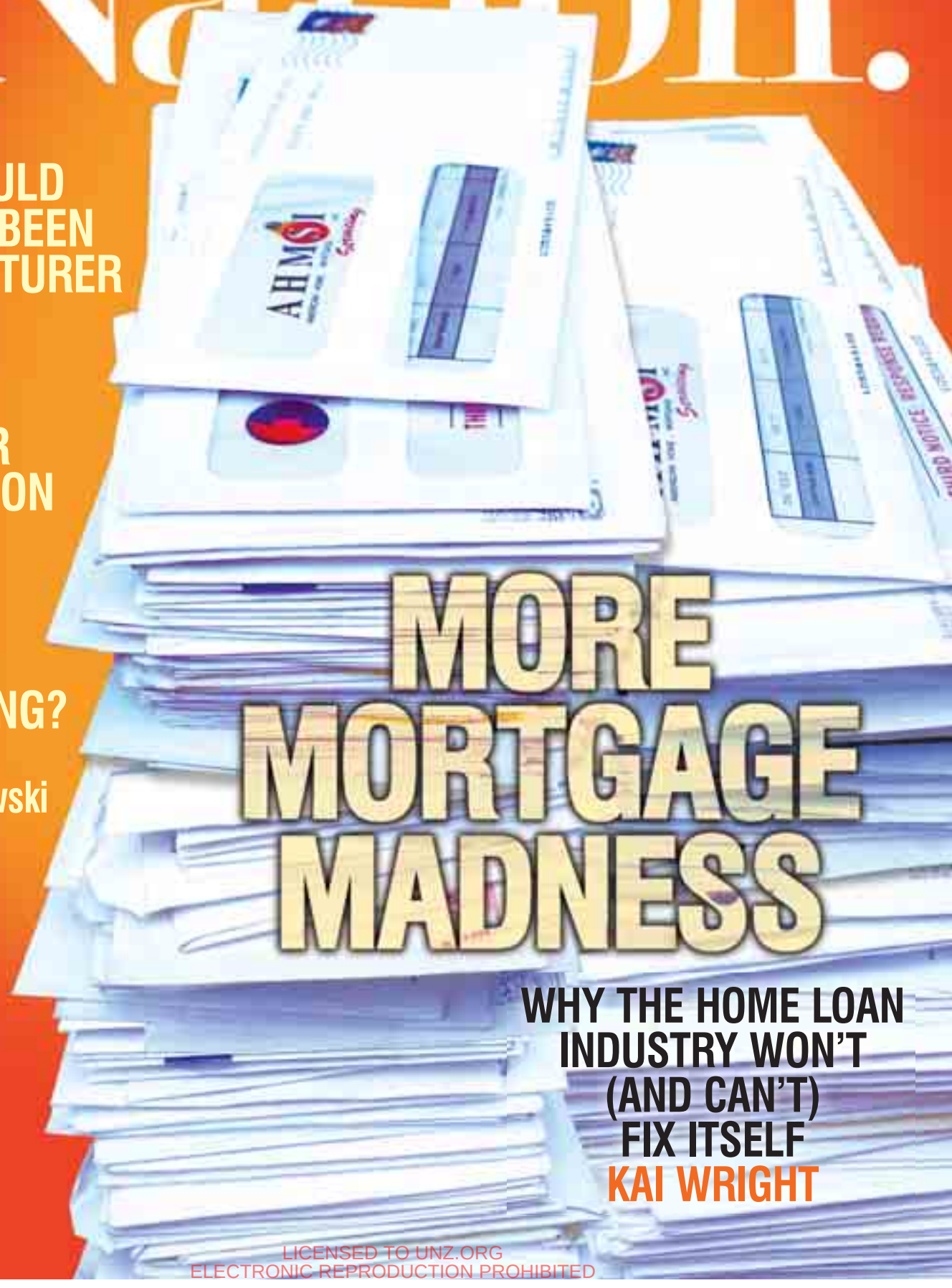
THE Nation.

I SHOULD HAVE BEEN A TORTURER
Katha Pollitt

LABOR REUNION
David Moberg

SAFE SEXTING?
JoAnn Wypijewski



MORE MORTGAGE MADNESS

WHY THE HOME LOAN INDUSTRY WON'T (AND CAN'T) FIX ITSELF
KAI WRIGHT

MAY 18, 2009
TheNation.com

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From "one of the most penetrating analysts of African affairs,

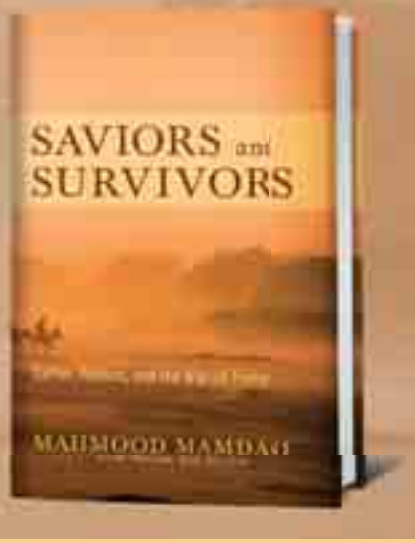
Mahmood Mandani,

a learned book that reintroduces history into the discussion of the Darfur crisis [and] a provocative look at what is labeled genocide."

—Howard French
The New York Times

"This is a work of incredible political courage."

—Amitov Ghosh



SAVIORS and SURVIVORS

DARFUR, POLITICS, AND THE WAR ON TERROR

Pantheonbooks.com

Letters

On 'Tell Her the Truth'

Waban, Mass.
Despite Tony Kushner and Alisa Solomon's heroic efforts to redeem Caryl Churchill's good intentions ["Tell Her the Truth," April 13], I can't help but read the penultimate speech of her play as an invitation to anti-Semitic stereotyping. What human being is not moved and sorrowful at the death of any child? Only a monster reacts to a bloody child with the cold calculation of the speaker. And Churchill leaves her audiences with that portrait of the Jew, undoing any sympathy created by her earlier dialogue. This is Shylock, without the humanizing gesture of the "hath not a Jew eyes" speech, devoid of even the capacity for empathy. One can criticize a war without dehumanizing a people.
Dahlia Rudavsky

Tel Aviv
I've read Caryl Churchill's *Seven Jewish Children: A Play for Gaza* three times and cried through each reading. As a mom and an activist living in Israel, I found the play devastating and true. Beyond that, it is remarkably compassionate and clear in its historical consciousness and the awareness that our deepest urge, to protect our children, can have terrible moral consequences. There's not an anti-Semitic word in it.

As my Israeli husband said, she captured exactly how it really is to live here. We constantly struggle with the questions of when and how and what to tell our children about what is happening all around them. That's why, for example, I take my older daughter to events supporting the *shministim*, the high schoolers refusing to be drafted. Perhaps, as Kushner and Solomon write, this girl will grow up to work for justice.

It is not anti-Semitism but that ability to open people's eyes that is so scary to those who attack Churchill's play.
Rebecca Vilkomerson

Madison, Va.
If *The Nation* truly has an interest in finding a way through the swamps of hatred that obscure the path to peace between Arabs and Jews, it might think twice before lavishing praise on such irritants as Caryl Churchill's play. Rubbing salt in wounds hardly heals. The argument that it has been critically acclaimed doesn't work so well after we look around and see that the play's effect has been to stir the pot of hate. May I suggest that you do a piece on the work of novelist Daniel Spiro, who has organized (in the Washington, DC, area) a formal gathering of Muslims and Jews to strengthen the common ground that's certainly there beneath their feet?
Frank Dixon

Brooklyn, N.Y.
Caryl Churchill's play, along with the exegesis and defense by Tony Kushner and Alisa Solomon, has at last provided an occasion for hesitant dialogue within the American Jewish theatergoing and theatermaking public. This was true, at least, at New York Theater Workshop on the two nights I attended the play and discussion. There were very few Arabs in the audience, and few non-Jews. This tentative loosening of the collective tongue makes me wonder what in particular about the history of American Jewry has made it so difficult, nay, impossible, for Jews to disagree openly about Israel's forty-year occupation and the American foreign policy that supports it.
Karen Malpede

New York City
Yes, "all plays require that directors and actors make considered choices. Performance produces meaning." And when *Seven Jewish Children* is produced by anti-Semites, and the Jew is not seen as the Israeli Jew but as part of that despicable race, and that "ugly monologue" is spoken by members of that race… then what will I tell *my* Jewish child? Regardless of her outrage or any other motive, Caryl Churchill has written a play that adds to the body of hateful literature that has tormented the Jew for ages.

(continued on page 24)

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Obama's First 100 Days

As we mark the first 100 days of Barack Obama's presidency, it is staggering to consider the enormous challenges he inherited from his predecessor, arguably our worst president ever. Can the devastation wrought by an eight-year nightmare be sorted out in 100 days? Of course not. That's why Obama asked for his accomplishments to be measured not by the first 100 days but by the first 1,000.

EDITORIAL

Obama deserves credit for the scale and scope of the agenda he has laid out and for confronting the challenges head-on. Within the first 100 hours of his inauguration, he pledged to close Guantánamo and CIA "black sites," banned the use of torture and repealed the global gag rule on reproductive rights. In the early weeks of his term, he lifted Bush's ban on funding for stem cell research, took steps to restore science to its proper place with regard to climate change and embarked on a transformation to a green economy. He quickly passed a strong stimulus bill that, despite its inadequate size and overemphasis on tax cuts, charts a path to economic recovery. Taken together, the stimulus plan and Obama's proposed budget signal a clear break from the ill-conceived dogma about deficit reduction that has defined and limited economic policy for the past thirty years.

On diplomacy, Obama has restored a sense of responsibility and re-engagement with the world after eight years of arrogance and swagger. We see in his progressive realism the rough outline of an Obama doctrine—a belief that, as the president stated, "We do our best to promote our ideals and our values by our example." To that end, he has called for better US cooperation in global alliances, and gave a firm endorsement of the United Nations. He has declared his commitment to nuclear weapons abolition, thereby opening the door to a renewed and wiser nonproliferation framework. His willingness to engage with countries whose interests and ideas diverge from ours—notably Iran, Russia and Cuba—has created possibilities for cooperation.

But there are two things we fear could endanger the Obama presidency: military escalation in Afghanistan and the bank bailout. Obama has wisely committed his administration to a phased withdrawal from Iraq, but his support for expanding the counterinsurgency campaign in Afghanistan is disappointing. Ramping up the conflict there could negate the positive effects in the Muslim world of withdrawing from Iraq while further destabilizing Pakistan, opening a rift with our European allies and bleeding us of the resources needed for economic recovery at home. We hope that hearings in Congress and citizen pressure will push the administration to bear down on regional diplomacy, commonsense counterterrorism measures and targeted development aid as the best security policies to stabilize the region.

The other area of concern is the bank bailout, a taxpayer-funded gift to Wall Street that could undermine much of the good in the economic plan. With the economy cratering and many projections indicating double-digit unemployment through 2011, there is a sense that Obama has given with one hand through his stimulus package and budget proposal but taken away with the other through the bank bailout. Selecting the Summers/Geithner team was a huge lost opportunity and a major misstep. When more bonuses are paid out and more self-dealing exposed, we may see more anger, especially in the form of right-wing populism.

But there is also reason for optimism. Obama's pragmatism and experimentation suggest that if the bank bailout doesn't work and he's confronted by citi-

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Betsy Reed: The 'he-cession'
William Greider: Is Obama tough enough?

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zens who understand the endemic problems of the Summers/Geithner approach, he may move to a Plan B—or a Team B—to maintain his credibility and to keep his agenda alive.

Other issues will measure not only Obama's fighting spirit but whether this Congress has the spine to push for reform and whether progressives can create space for it in a system hardwired to resist change. (Prospects for change got a big boost with Arlen Specter's April 28 decision to switch parties, a move that brings the Senate Democratic majority to a filibuster-proof sixty—assuming Al Franken is seated.) The gloves are off over the Employee Free Choice Act. Likewise, brutal battles are looming over energy, climate change and healthcare bills. Will Obama stand for the public plan option, on which real healthcare reform depends? On this and other fronts, will the president temper one of his favorite phrases—"Don't let the perfect be the enemy of the good"—to push the limits of the possible? Making compromises to achieve profound change is one thing; watering down policies to appease for-profit special interests is another.

With regard to torture: Obama took the much-needed step of immediately renouncing it, ending its use and releasing the torture memos—but he is not willing to press for a commission. Congress must investigate so we can hold responsible not only the architects of illegal activity but also those who implemented it. Torture is a sore on the body of the Republic, and Congress must ensure accountability for the future of our democracy and our reputation in the eyes of the world.

Obama laid down some important and worthy markers in his first 100 days. But the big battles will be fought in the next 900. The struggle now is over the budget. Obama knows that the right isn't going to give an inch, however incoherent its opposition; that some Democrats are turning tail and fixating on deficits instead of investment; and that some of the mistakes of his economic team have made the budget debate more difficult. Progressives will have to battle lobbies mobilized to halt reforms and a right that rallies its base with bile and smears. For better or worse, Obama has shown himself to be open to influence. Progressives must keep that in mind as we fight for what is just and sustainable.

The president has called on citizens to believe they can bring change to Washington. One way of doing that is to give voice to ideas that were barely heard in the old era of downsized politics and excluded choices—but that now stand a fighting chance.

Rights, Not Raids

When the Obama administration reiterated recently that it will make an immigration reform proposal this year, hopes rose among millions of immigrant families for the "change we can believe in." That was followed by a new immigration position embraced by both the AFL-CIO and the Change to Win unions, rejecting the expansion of guest worker programs, which some unions had supported.

As it prepares a reform package, the administration should look seriously at why the deals created over the past several years failed, and consider alternatives. Beltway groups are again proposing employment visas for future (post-recession, presumably)

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labor shortages and continued imprisonment of the undocumented in detention centers, which they deem "necessary in some cases." Most disturbing, after years of the Bush raids, is the continued emphasis on enforcement against workers.

We need a reality check.

For more than two decades it has been a crime for an undocumented worker to hold a job in the United States. To enforce the prohibition, agents conduct immigration raids, of the kind we saw at meatpacking plants in the past few years.

COMMENT

Today, some suggest "softer," or more politically palatable, enforcement—a giant database of Social Security numbers (E-Verify). Employers would be able to hire only those whose numbers "verify" their legal immigration status. Workers without such "work authorization" would have to be fired.

Whether hard or soft, these measures all enforce a provision of immigration law on the books since 1986—employer sanctions—which makes it illegal for an employer to hire a worker with no legal immigration status. In reality, the law makes it a crime for an undocumented worker to have a job.

The rationale has always been that this will dry up jobs for the undocumented and discourage them from coming. Those of us who served on a United Food and Commercial Workers commission that studied Immigration and Customs Enforcement (ICE) raids at Swift meatpacking plants across the country learned that the law has had disastrous effects on all workers. Instead of reinforcing or tweaking employer sanctions, we would be much better off if we ended them.

Raids and workplace enforcement have left severe emotional scars on families. Workers were mocked. Children were separated from their parents and left without word at schools or daycare. Increased enforcement has poisoned communities, spawning scores of state and local anti-immigrant laws and ordinances that target workers and their families.

Employer sanctions have failed to reduce undocumented migration because NAFTA and globalization create huge migration pressure. Since 1994 more than 6 million Mexicans have come to the United States. Ismael Rojas, who arrived without papers, says, "You can either abandon your children to make money to take care of them, or you can stay with your children and watch them live in misery. Poverty makes us leave our families."

Attempting to discourage workers from coming by arresting them for working without authorization, or trying to prevent them from finding work, is doomed to fail. To reduce the pressure that causes undocumented migration, we need to change our trade and economic policies so they don't produce poverty in countries like Mexico.

Ken Georgetti, president of the Canadian Labour Congress, and AFL-CIO president John Sweeney wrote to President Obama and Canadian Prime Minister Harper, reminding them that "the failure of neoliberal policies to create decent jobs in the Mexican economy under NAFTA has meant that many displaced workers and new entrants have been forced into a desperate search to find employment elsewhere." The new joint position of

Noted.

A SWITCH IN TIME: Barack Obama promised to change politics, and on April 28 the oldest Republican senator put an exclamation on the point by changing parties. Of course, **Arlen Specter**'s changeover was motivated by more than Obama's "postpartisan" appeal. Specter—a prochoice, pro–civil rights, union-friendly Rockefeller Republican whose vote for the stimulus bill inspired the ire of the right—was all but certain to lose next year's Pennsylvania primary to a conservative challenger.

The prospect of forced retirement clarifies the mind, and Specter now finds himself "more in line with Democrats." But which Democrats? If he aligns with mushy centrists, his defection won't mean much, even if Dems have the sixty votes to avert filibusters. Nowhere is this more evident than with the **Employee Free Choice Act**, which Specter and several other Democrats refuse to back. Praise from union leaders for his move suggests that they think he'll help them forge a compromise. But if Specter's switch makes an already compromise-prone Democratic caucus more squishy, then he'll deserve a primary challenge—no matter what the party leaders have promised him. More encouraging is Specter's professed belief in "the need for Congress and the courts to reassert themselves in our system of checks and balances." His recent *New York Review of Books* article reads as if it was written by **Russ Feingold**. If Specter changes course on EFCA and fights for civil liberties, he might finish his career where he started—as a liberal Democrat—and his switch could be one of the most important developments of Obama's first 100 days. Let's hope. JOHN NICHOLS

WELCOME TO THE CLUB: *The Nation* was a mature 43 years old in 1909, when one of its favorite senators launched **La Follette's Weekly**, a muckraking journal of Midwest radicalism that would eventually become **The Progressive**. The immodest goal of **Robert La Follette**'s magazine—which was gathering editors, writers and fans to celebrate its 100th birthday May 1–2 in Madison, Wisconsin—has long been to win "back for the people the complete power over government." Even if that mission remains incomplete, *The Progressive* has surely done its part: opposing war and empire; fighting for the New Deal; and advocating for women's suffrage, justice for Native Americans and civil and gay rights.

The Progressive championed the public's right to know when editor **Erwin Knoll** and writer **Howard Morland** successfully challenged the **Atomic Energy Act**'s secrecy clauses; *The Nation* supported it in that struggle. As clouds again gathered over the Constitution during the Bush era, *Progressive* editor **Matthew Rothschild** defended civil liberties with his meticulous "McCarthyism Watch." This ongoing crusading is, as our own **Victor Navasky** noted in welcoming *The Progressive* to the circle of 100-year-old magazines, a boon in an era of declining print fortunes. "That's because they are a cause as much as a business," says Navasky.

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the AFL-CIO and Change to Win federations recognizes that "an essential component of the long term solution is a fair trade and globalization model that uplifts all workers."

Continued support for work authorization and employer sanctions contradicts this understanding. Even with a legalization program, millions of people will remain without papers. For them, work without "authorization" will still be a crime. And while employer sanctions have little effect on migration, they will continue to make workers vulnerable to employer pressure.

When undocumented workers are fired for protesting low wages and bad conditions, employer sanctions bar them from receiving unemployment or disability benefits, although the workers have paid for them. It's much harder for them to find another job. An E-Verify database to deny them work will make this problem much worse.

Workplace enforcement also increases discrimination. Four years after sanctions began, the Government Accountability Office reported that 346,000 US employers applied immigration-verification requirements only to job applicants with a "foreign" accent or appearance. Another 430,000 only hired US-born applicants.

Despite these obstacles, immigrant workers, including the undocumented, have asserted their labor rights, organized unions and won better conditions. But employer sanctions have made this harder and riskier. When raids and document verification terrorized immigrants at Smithfield's huge packinghouse in Tar Heel, North Carolina, it became harder for black and white workers to organize as well. Using Social Security numbers to verify immigration status makes the firing and blacklisting of union activists all but inevitable. Citizens and permanent residents feel this impact because in our diverse workplaces, immigrant and native-born workers work together.

Low wages for undocumented workers will rise only if those workers can organize. The Employee Free Choice Act would make organizing easier for all workers. But "work authorization" will rob millions of immigrant workers of their ability to use the process that act would establish.

The alternative to employer sanctions is enforcing the right to organize, minimum wage, overtime and other worker protection laws. Eliminating sanctions will not change the requirement that people immigrate here legally. ICE will still have the power to enforce immigration law. And if a fair legalization program were passed at the same time sanctions were eliminated, many undocumented workers already here would normalize their status. A more generous policy for issuing residence and family-unification visas would allow families to cross the border legally, without the indentured servitude of guest-worker programs.

Immigrant rights plus jobs programs that require employers to hire from communities with high unemployment can reduce competition and fear. Together they would strengthen unions, raise incomes, contribute to the nation's economic recovery and bring the people of our country together. Employer sanctions will continue to tear us apart. BILL ONG HING AND DAVID BACON

Bill Ong Hing, a professor at UC, Davis, law school, was on the United Food and Commercial Workers commission, which examined the impact of the raids at Swift meatpacking plants, the largest workplace enforcement action in US history. David Bacon, associate editor at Pacific News Service, is the author of several books on immigration, most recently Illegal People: How Globalization Creates Migration and Criminalizes Immigrants *(Beacon).*

Calvin Trillin, Deadline Poet

Hearing Every Day From Cheney

We're hearing every day from Cheney.
With language dripping with disdain, he
Insists our policies aren't brainy:
No torture? Why, that's simply zany.
On days with sun and days quite rainy,
Pro-torture noise emits from Cheney.

Through a Lens Starkly

Taking nude pictures of yourself—nothing good can come of it.
—Police Capt. George Seranko, Greensburg, Pennsylvania

The police captain might be right, in one sense. Particularly for the unskilled or ill equipped, getting the angle right, the focus and lighting just so, might be an effort—too much for the unsteady hand, the shy poser, the butterfingers. Much better to take nude pictures with someone else, to make a game of it, a performance of seeing and being seen, an *amuse-bouche* before the banquet, or maybe in place of it. Safe sex, unless you're a teenager, in which case someone might want to arrest you.

Captain Seranko made his observation after three girls and three boys at Greensburg Salem High School were charged with child pornography. The girls, ages 14 and 15, are charged with taking pictures of themselves, nude or seminude; the boys, 15, 16 and 17, with receiving them. The cellphone in which these dangerous images were lodged had been confiscated at school, not an outrageous exercise of authority if school officials had merely stashed the phone in a drawer, unmolested, until the student could collect it. But the officials had to snoop. One can picture their fevered actions, fumbling with the student's phone, opening one folder, then another, maddened as they press the wrong buttons and must begin again, without the nimbleness of youth—curses!—their otherwise desiccated imaginations now fertile with anticipated indecency; scouring through the teen's pictures and messages, expectant that their suspicions will be confirmed, certain that all they want is to protect the children… And yet, there they are, instant oglers, prying into places not meant for them, gazing at images not made for them, drenching the relationship between school authority and student in sex.

The recent attention to teen "sexting" has focused quite a lot

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on the presumed self-exploitation of kids, not so much on the prurient reflex of grown-ups who spy on and punish them. It has dwelt quite a lot on the traps of technology, not so much on the desires that precede picking up a camera. Quite a lot on the question of whether the teens are sex offenders or merely stupid, sluttish or mean, not so much on the freedom to see and be. Quite a lot on the legal meaning of images, not so much on the ways in which making them might delight, or on the cultural freakout that colors law, images and how they are perceived.

No one knows how many kids are poised for long sentences, life sentences (a possibility under federal law), plea deals that cast them in the pariah-land of sex offenders. Prosecutors have gone after teens in at least Ohio, Wisconsin, Florida, Oklahoma and Pennsylvania. School and police investigators in many states have searched students' phones, and now that the National Campaign to Prevent Teen and Unplanned Pregnancy has estimated that one in five teenagers is taking and sending nude or seminude pictures of themselves, and four in ten are sending sexed-up text messages, kids generally are at risk of surveillance or worse.

Across the state from where Captain Seranko was discoursing on nude photographs, District Attorney George Skumanick Jr. was threatening sixteen girls and four boys with felony charges. Officials at Tunkhannock Area High School had confiscated phones, discovered about 100 photos and called the DA, who told reporters that the kids could face seven years in prison. In February, Skumanick convened parents to say that their kids were involved in a child porn investigation but could avoid being nailed by submitting to a ten-hour re-education program, paying $100 and agreeing to an "informal adjustment," in effect a guilty plea before judgment in the juvie system, which would put them on probation for at least six months and subject them to random drug tests. If the kids get in trouble while on probation, they could end up with a juvenile record of the sex offense. And once Pennsylvania amends its laws to make sex offender registration and notice requirements apply to juveniles over 14, as required by the federal Adam Walsh Act, they will apply retroactively—meaning kids with records will have their names and pictures displayed on the state's sex offender website for at least ten years.

All but three families submitted to the DA's coercion. One father complained that his daughter was pictured simply wearing a bathing suit; Skumanick called the image "provocative," and she is being re-educated, writing a report on "Why it was wrong" to pose in her bathing suit, answering, "How did [it] affect the victim? The school? The community?" and learning "what it means to be a girl in today's society."

MaryJo Miller and Jami Day refused to inflict this madness on their daughters, who at 13 were photographed lying side by side in their thick white training bras while one, Marissa Miller, held a phone to her ear and the other, Grace Kelly, flashed a peace sign. Another mother, "Jane Doe," also refused on behalf of her 17-year-old daughter, "Nancy," who was photographed coming out of the shower topless, with a towel wrapped around her. When Miller saw the picture of Marissa and Grace, taken during a slumber party at her house two years ago, she laughed and called the girls "goofballs"; to the DA they were "provocative," and he moved to prosecute. On March 30 the Pennsylvania ACLU won a federal injunction barring Skumanick from filing charges against the three girls; Skumanick has appealed, and the ACLU's Witold Walczak expects the case to be tied up for a year.

"If this is criminal, you better go after Sears and J.C. Penney for their Sunday circulars," Walczak said of the photo of Marissa and Grace. A good line, but it leaves some questions floating in the spring air. What even defines what's criminal? Somewhere out there someone is flushed and warm poring over those Sunday circulars, the torsos lined up in their mature brassieres or big lady briefs, just as somewhere a latter-day Humbert Humbert's pulse is quickening at the vision of girls cavorting in school uniforms, let alone training bras. Rationality invites us to say, So what; fantasy has its place apart. Except the obsession with child porn and predators has ground fantasy into the dirt, and rationality flees like a hunted thing. The law invites us, instead, as Amy Adler brilliantly dissected in a 2001 *Columbia Law Review* article, to think like a pedophile, to read the lascivious, the sexually provocative, the exploitative potential into almost any image.

"As everything becomes child pornography in the eyes of the law—clothed children, coy children, children in settings where children are found—perhaps everything really does become pornographic," Adler wrote in "The Perverse Law of Child Pornography." DA Skumanick only seems bizarre; in fact, he and school officials are doing what judges and juries in child porn cases have been doing for years, lingering over images, searching for signs of the erotic or proto-erotic, pondering *What if? Maybe so? One might think…* and welding the child to sex.

But what of the teenagers—not Marissa or Grace or Nancy, but others, perhaps those kids in Greensburg—who mean to be sexy, for their boyfriend, their girlfriend, themselves? There is nothing new about teenagers having sex and taking pictures, or indulging in fantasy as a substitute; nothing new about the mixed thrill of having a secret and risking exposure, or sharing that "secret," sometimes clumsily. The new means of production carries pitfalls as surely as the fleeting passions of a teenager. The rude boy documenting a girl going down on him unawares to share behind her back with his MySpace buddies will always be with us, but her problem, and his too, started before the shutter clicked. The girl who has mastered the nude self-portrait may later regret its mass circulation, but she may also have got comfortable in her skin while taking pictures. Maybe the Polaroid Land Camera should make a comeback, but it is just possible that the 15-year-olds are envisioning, however inchoately, a saner world than the one the grown-ups lecturing them have constructed, one where their life chances won't be ruined by a "compromising" photograph on the Internet. If sexting really is as common as is claimed, it's more likely to proliferate than to abate, and then the issue won't be scandal or embarrassment but banality.

The truth is, a lot of good can come of taking nude pictures. Not so much the image as the act, and less the act of sex than the play of love, or imagination or freedom among friends. Remember play? Remember dalliance? Remember the captured glimpse of a lover stripped and weak with need? Grown-ups, don't get comfortable. A bill in the Massachusetts Legislature proposes to criminalize nude pictures of people over 60 and people who are disabled, for their own protection. JOANN WYPIJEWSKI

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Alexander Cockburn

King of the Hate Business

The sun is dipping low in the evening sky over the Republican Party as the Other Leading Brand. A mere 21 percent of the adult population identify themselves as Republicans. Senator Arlen Specter sees the writing on the wall. He prefers to make his sixth senatorial run under the ample Democratic banner, rather than get mangled in the tiny shark tank of a Republican primary attended only by people who want to see the country run by Limbaugh and Hannity. With Al Franken certified, Specter crossing the aisle and Joe Biden in reserve, the Democrats can no longer hide behind the excuse of a Republican filibuster. They'll figure out a way, no doubt, but it could be embarrassing.

It's also horrible news for people who raise money and make money selling the notion that there's a right resurgence out there in the hinterland with legions of haters ready to march down Main Street draped in Klan robes, a copy of *Mein Kampf* tucked under one arm and a Bible under the other, available for sneak photographs from minions of Chip Berlet, a prime promoter of the Christian menace.

What is the archsalesman of hatemongering, Morris Dees of the Southern Poverty Law Center, going to do now? Ever since 1971, US Postal Service mailbags have bulged with his fundraising letters, scaring dollars out of the pockets of trembling liberals aghast at his lurid depictions of a hate-sodden America in dire need of legal confrontation by the SPLC. Nine years ago Ken Silverstein wrote a devastating commentary on Dees and the SPLC in *Harper's*, dissecting a typical swatch of Dees's solicitations. At the time, Ken pointed out, the SPLC was "the wealthiest civil rights group in America," with $120 million in assets.

As of October 2008 the net assets of the SPLC were $170,240,129. The merchant of hate, Mr. Dees, was paid an annual $273,132 as chief trial counsel, and the SPLC's president and CEO, Richard Cohen, $290,133. Total revenue in 2007 was $44,727,257, and program expenses $20,804,536. In other words, the Southern Poverty Law Center was raising much more than it was spending on its proclaimed mission. Fundraising and administrative expenses accounted for $9 million, leaving more than $14 million to be put in the center's vast asset portfolio.

But where are the haters? That hardy old standby, the Ku Klux Klan, despite the SPLC's predictable howls about an uptick in its chapters, is a moth-eaten and depleted troupe, with at least 10 percent of its members on the government payroll as informants for the FBI. As Noel Ignatiev once remarked in his book *Race Traitor*, there isn't a public school in any county in the USA that doesn't represent a menace to blacks a thousand times more potent than that offered by the KKK, just as there probably aren't many such schools that haven't been propositioned by Dees to buy one of the SPLC's "teaching tolerance" programs. What school is going to go on record as rejecting Dees-sponsored tolerance? Rub the kids' noses in tolerance until they get Dad's AK out of the closet and go on a rampage. Dees and his hate-seekers scour the landscape for hate like the arms manufacturers inventing new threats, and for the same reason: it's their staple.

A recent article in *Newsweek* cites the SPLC's latest "Year in Hate" report: "in 2008 the number of hate groups rose to 926, up 4 percent from 2007, and 54 percent since 2000." The SPLC doesn't measure group membership, meaning that it probably missed me. Change that total to 927. I'm a hate group, meaning in Dees-speak, one with "beliefs or practices that attack or malign an entire class of people," starting with Dick Cheney. I love to dream of Cheney being waterboarded, subjected to loops of Schoenberg played at top volume, locked up naked in a meat locker. But the nation's haters are mostly like me, with their enjoyment of a (increasingly circumscribed) constitutionally guaranteed right to hate that is solitary, disorganized and prone to sickening relapses into love, or at least the sort of amiable tolerance for all mankind experienced when looking at photos of Carla Bruni and Princess Letizia of Spain kissing.

The effective haters are big, powerful, easily identifiable entities. Why is Dees fingering militiamen in a potato field in Idaho when we have identifiable, well-organized groups that the SPLC could take on? To cite reports from United for a Fair Economy, minorities are more than three times as likely to hold high-cost subprime loans, foisted on them by predatory lenders, meaning the big banks; all black and Latino subprime borrowers "could stand to lose between $164 billion and $213 billion for loans taken during the past eight years." Get those bankers and big mortgage touts into court, chief trial counsel Dees! How about helping workers fired by people who hate anyone trying to organize a union? What about defending immigrants rounded up in ICE raids? How about attacking the roots of Southern poverty, and the system that sustains that poverty as expressed in the endless prisons and death rows across the South, disproportionately crammed with blacks and Hispanics?

You fight theatrically, the Dees way, or you fight substantively, like, for example, the Institute for Southern Studies run by Chris Kromm; or like Stephen Bright, who makes only $11,000 as president and senior counsel of the Southern Center for Human Rights. The center's director makes less than $50,000. It has net assets of a bit over $4.5 million and allocates about $1.6 million a year for expenses, which is 77 percent of its $2 million annual revenue. Bright's outfit is basically dedicated to two things: prison litigation and the death penalty. He fights the system, case by case. Not the phony targets mostly tilted at by Dees but the effective, bipartisan, functional system of oppression, far more deadly and determined than the SPLC's tin-pot hate groups. Tear up your check to Dees and send it to Bright. ■

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Katha Pollitt

Better Living Through Torture

I should have been a torturer. You too, reader. Well, maybe not an actual physical torturer, because then there'd be a small chance I'd go to prison like Lynndie England or Charles Graner. My picture might be in the paper doing nasty things to naked men with a goony smile and a thumbs-up. I might even have disturbing memories and bad dreams, because surely, unless one is a sociopath, throwing people into walls and hanging them from the ceiling all day is likely to have its troubling moments. What I mean is, I should have been a member of the torture creative class—a conceptual torturer, a facilitator of torture, perhaps an inventor of torture law, an architect of the torture archipelago, a dissimulator, concealer, denier, rationalizer, minimizer and pooh-pooher of torture. As a word person, I could have come up with circumlocutions to confuse the media, bureaucratic phrases like "special methods of questioning" and "enhanced interrogation techniques." According to *New York Times* public editor Clark Hoyt, just figuring out whether to call a given action "harsh" or "brutal" has kept editors busy for years! Or I could have written copy for the CIA. For example, I could have suggested they call putting people in coffinlike boxes full of insects "studio picnics," because studio apartments are small and picnics have bugs, and I could have nicknamed waterboarding "drinking tea with Vice President Cheney," although come to think of it, waterboarding is a euphemism already. Maybe that's why people didn't catch on that it was the same thing we prosecuted Japanese interrogators for doing in World War II. In the Tokyo trials it was called "the water treatment," or "the water cure," or just plain "water torture." Calling it "water torture" was probably what got those Japanese into trouble. That, and losing the war.

Why should I have joined the torture creative class? Because now I would be having a great life. Consider:

John Yoo. In 2002, while working for the Office of Legal Counsel (OLC), Yoo wrote a crucial memo saying that terror suspects weren't covered by US commitments to treaties and agreements banning torture. Now Yoo is a tenured professor of law at Berkeley. Eat your heart out, Ward Churchill! And he isn't hiding away in his office, either. This semester Yoo's a visiting prof at Chapman University School of Law, where he spoke at a public forum and defended torture as necessary to protect the country. "Was it worth it?" he asked, according to the *Los Angeles Times*. For John Yoo, definitely.

Donald Rumsfeld. The former secretary of defense, who famously encouraged interrogators to force prisoners to stand for long periods of time ("I stand for eight or ten hours a day. Why is standing limited to four hours?"), got a one-year appointment in 2007 to the Hoover Institution at Stanford. In his announcement Hoover's director, John Raisian, said "Don" would "pursue new insights on the direction of thinking that the United States might consider going forward." Or maybe might not consider…

Jay Bybee. While assistant attorney general at the OLC, Bybee signed memos narrowing the legal definition of torture to physical pain "equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death" and mental pain that results in "significant psychological harm of significant duration." Cruel, inhuman or degrading but not as painful as having your kidneys ripped out? OK! And if "necessity" or "self-defense" requires it, just go ahead and wall the guy, already. In 2003 Bybee was appointed judge on the US Court of Appeals for the Ninth Circuit, a position he still holds. According to friends quoted in a recent story in the *Washington Post*, Bybee feels a little bad about those memos and insists that saying something is legal is not the same as saying you should do it—a sentiment every parent can get behind. Also, one friend says he took the job at the OLC only because he wanted to be a judge. *Et voilà!*

George Tenet. Not content with the $4 million advance for his memoirs, the former head of the CIA makes enormous sums of money directing companies with government military or intelligence contracts; also Allen & Company, described by UPI as a New York bank "with a reputation for secrecy."

Dick Cheney. As the only Republican able to project a sense of personal dignity, the King of the Dark Side is having the time of his life, writing his memoirs by day and bashing Obama on Fox by night. Lunches with visiting pooh-bahs, speeches and fishing trips are also on the calendar.

Douglas Feith. Remember him? His hand was in those torture memos, too. He now divides his time between the Hudson Institute and Harvard's Kennedy School of Government, where he's a Belfer Center visiting scholar. Good times!

Bill "I'm ambivalent on torture" Kristol. The Man Who Was Wrong About Everything lost his gig at the *New York Times*, but not to worry: he's back at the *Post*, where editorial page editor Fred Hiatt describes him as "very smart and plugged in." The Bradley Foundation has awarded him $250,000. Icing on the cake: he's teaching a course on Xenophon at Harvard with archconservative Harvey "Manliness" Mansfield.

Paul Wolfowitz. The former deputy defense secretary was keen on harsher methods of interrogation to extract more "intelligence" from detainees in the run-up to the Iraq War. Today Wolfowitz runs the US-Taiwan Business Council, which sounds rather lucrative, and is a fellow at the American Enterprise Institute, along with John Yoo, Lynne Cheney, Charles Murray, Newt Gingrich and similar. Can't somebody give Ayaan Hirsi Ali a job and get her out of there?

So there you have it: book contracts, money, fellowships, columns, TV, comfy berths in fancy places, fun. Torture works. ■

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MORE MORTGAGE MADNESS

Why the home loan industry won't (and can't) fix itself.

by KAI WRIGHT

Veronica Gallon went and got her gun. This was just the kind of thing she and her husband, George, had left the north Jacksonville ghettos to avoid: some guy banging and rattling the door in the middle of the night, like a crazed killer or God knows what. Veronica wasn't having it. So she grabbed her gun and plopped down on the front room rug.

"I was in my PJs, looking at TV and getting ready to go to bed for work," she recalls. She doesn't answer her door at night, so at first she just ignored the knock. "Then the knock becomes a banging," she continues, her voice rising. "I peep out the blinds, and I see this white guy," she explains. "I could see him, but he couldn't see me." She noticed his car was idling, with the driver-side door standing open. "Whatever he came to do, he was gonna do it and jump!"

Veronica knew the house was in foreclosure, of course; not a day goes by without a reminder. "First time the phone rings in the morning, it's them," George says with a sigh. "Last time the phone rings at night, it's them." But she long ago checked out of the process in frustration. She couldn't keep up with the bizarre twists and turns, the seemingly random letters from companies she'd never heard of making demands she couldn't believe. But she never imagined that the man banging on her door worked for a company that worked for a company that services her loan on behalf of some Borg-sounding entity called ABFC 2006-HE1 Trust.

Veronica is an ebullient woman. At 45, she radiates giddy teenage youth, doubling over in belly laughs at her own jokes. But she insists her quick smile morphs just as effortlessly into a snarl, and it was only after Veronica called George, at his job as a night security guard, that she calmed down. They both swear it's just dumb luck that American Home Mortgage Servicing didn't lose a contractor that night.

We hear a lot about the big picture of the mortgage crisis: at the end of last year, a little more than 11 percent of homeowners were delinquent or in foreclosure. But the Gallons reveal what it looks like in the micro. All over the country, confused, struggling borrowers and an opaque army of industry contractors are fumbling toward each other in the dark, with guns drawn.

Every effort to date to order that chaos has failed utterly. The mortgage industry got things started in July 2007 with its cruelly named HOPE NOW program. George W. Bush offered a narrowly tailored Federal Housing Authority (FHA) refinancing program, dubbed FHASecure. And last summer, Congressional Democrats finally came in big with HOPE for Homeowners, which put up $300 billion for FHA-administered refinances. All these plans have two things in common: they relied on the industry's voluntary participation, and they didn't work.

HOPE for Homeowners has generated the most laughable data. The program launched in October. As of late March, it has prevented exactly one foreclosure. "Needless to say, the program isn't working terribly well," an FHA spokesman deadpanned to CNNMoney.com.

HOPE NOW's press shop has been less modest. The program claims to have helped millions avoid foreclosure through loan modifications. But despair lies just below the surface of the industry's assertions. In early April, the Office of Thrift Supervision (OTS) released a fourth-quarter report that found more than half of all loan workouts last year failed to reduce monthly payments, and nearly one-third actually increased the payments.

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No surprise, then, that 60 percent of loans modified in the first three quarters of 2008 were at least thirty days delinquent at year's end, according to OTS. Valparaiso University consumer law scholar Alan White describes it as "converting risky subprime loans into risky modified loans."

There are myriad reasons for the dismal performance of all these efforts to arrest foreclosures. Everybody from the Mortgage Bankers Association to grassroots housing activists now largely agree on the technical aspects of the problem—servicers are scared to modify loans they don't actually own; the industry's fee structure blinds it to the long-term costs of foreclosure; and many borrowers are far too deep in debt to be helped.

President Obama unveiled his own proposal in late February, the fourth major initiative in less than two years. Key elements of it—like a plan that would let bankruptcy judges reduce the principal owed by mortgage borrowers—require Congressional approval. His plan dutifully pushes and pulls the market's jammed levers, offering servicers significant payments for altered loans and giving them legal cover for doing so, among other things.

But what Obama's plan doesn't do—so far—is address the larger question: can any solution work if it doesn't strengthen the negotiating hand of overwhelmed borrowers? Like all previous initiatives, industry participation in the president's plan is largely voluntary, if heavily subsidized. He's proposed allowing homeowners to modify mortgages through bankruptcy courts, which could reduce their principal, but the industry, led by firms like JPMorgan Chase, Wells Fargo and Bank of America, has fought hard to kill the legislation, blocking it in the Senate since March. And the plan does nothing else to give borrowers more leverage, such as freezing foreclosures—as candidate Obama pledged he'd do back in October. Instead, it pumps $75 billion into a servicing industry that Veronica and George Gallon and millions like them would just as soon see killed off.

"It sounds more positive than anything we've seen before," says California Reinvestment Coalition's Kevin Stein, who has studied mortgage modifications in his state. "But those things looked positive when we first saw them, too."

Many of the players in the global economic collapse have filled mysterious, difficult-to-comprehend roles. Not mortgage servicers. Their role is clear and familiar. If the recession were a gangster movie, they'd be the big, bumbling guys who barge in and threaten to off you if you don't pay your gambling debts.

Lenders who originate loans rarely handle the month-to-month work of managing them. They hire contractors to collect and process payments and to manage foreclosures for loans that default. So when lenders started rapidly unloading loans on investors, the investors hired "third-party" servicers to manage their massive loan pools. It was good business: by one count, lenders pooled and sold 8 million nonprime loans in 2005 and 2006 alone. As a result, according to OTS, 91 percent of all outstanding home loans are now serviced by third-party banks and firms that don't own the note.

But the subprime explosion coincided with a dramatic restructuring of the mortgage servicing industry. In 1989 the five largest firms controlled just 7 percent of the market. By 2007 they controlled 46 percent. After Bank of America's July 2008 merger with Countrywide, the top three servicers—arms of Bank of America, Wells Fargo and Chase—controlled 48 percent of the nation's $11.5 trillion in mortgages.

Automation and outsourcing followed this consolidation, allowing the mega-servicers to process huge numbers of loans without increasing costs. Like the brokers originating the loans, they shoved as many mortgages as possible through their software programs. They outsourced everything from tax processing to call centers. They hired low-skilled workers to do what amounted to data entry, then overburdened them and skimped on training. And it all worked brilliantly. "In good times, the servicing business has been profitable," a Federal Reserve Board working paper on the industry bluntly concluded last year.

In 1989 the five largest firms controlled just 7 percent of the mortgage servicing industry. By 2007 they controlled 46 percent.

Why shouldn't it be? Most of the firms absorbed by the big banks had specialized in subprime loans. And servicers generally get paid twice as much to manage subprimes as primes, based on the idea that subprime loans require more work—frequent contact with borrowers and specialized labor. But the boom obscured these costs; because very few loans demanded more than collecting and processing more and more payments, few firms invested in developing the kind of skills necessary to service subprime loans—doing so would have undermined the savings from consolidation, outsourcing and automation.

The industry's business model fell apart, however, when the default rate shot up to more than 10 percent—a number that's getting worse fast, according to OTS. Subprime loans continued failing at high rates last year, but now prime loans are hemorrhaging, too. OTS found that delinquency among formerly stable prime loans more than doubled in 2008, to 2.4 percent, with the most significant rise happening in the fourth quarter.

The industry has tried to blame borrowers for its unsuccessful effort to save these failing loans; people who redefault are called "recidivists." But the OTS data offer damning evidence to the contrary. The problem is that a surprising number of workouts have done nothing to change the loans; more than half are merely repayment plans that give borrowers more time to catch up. Which leaves people like the Gallons in an exhausting, no-win game of chase, in which separating predation from plain incompetence is nearly impossible.

Kai Wright (kaiwright.com), a Brooklyn-based journalist and senior writer for TheRoot.com, is the author of Drifting Toward Love: Black, Brown, Gay and Coming of Age on the Streets of New York. *Research support for this article was provided by the Investigative Fund at The Nation Institute.*

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Jacksonville was once a sea of relative calm in Florida's economic maelstrom. It had a diverse economy, with everything from financial services to a deep-water port. But ultimately the regional waterfront drew the city into Florida's turn-of-the-century real estate explosion. New developments spawned a booming construction industry packed with well-paid jobs. In 2008 one in five of those jobs disappeared. Last fall *Forbes* magazine predicted that Jacksonville—in the heart of Duval County, where joblessness recently hit 9.7 percent—would be the national "foreclosure capital" of 2009.

Investment properties and second homes have undeniably driven up Florida's foreclosure numbers, but Jacksonville is a place where thousands of people are losing the roof over their heads. The resulting loan defaults so overwhelmed the Housing Partnership of Northeast Florida, says vice president of lending services Richard Paige, that he had to retrain homeownership counselors to do loss mitigation instead. "Early in this process, we were seeing people who were victims of just horrible loans," Paige explains. "But now I would say well over half of what we're seeing, they were in affordable loans" and lost their job.

'I think the idea is to have the homeowner keep chasing his tail until he gives up in frustration.' —Chip Parker, housing attorney

The Gallons managed to keep up with their $200,000 subprime refinance until late 2007, when they started missing payments and piling up late fees. In February 2008, George called their servicer, Option One Mortgage, an H&R Block subsidiary managing $53 billion in subprime loans at the time. "I says, 'Well, things are kind of tight with me right now. What can I do to bring my mortgage current?'" recalls George, a jowly 62-year-old with a pencil mustache and graying mane.

The person George spoke with told him to apply for a loan modification, which meant digging up a dozen documents establishing income and expenses. So they did. "March goes by; I don't hear anything. April, I'm thinking no news is good news, so I send them a payment."

But no news was bad news: the following month's payment came back with a notice that the Gallons had been foreclosed upon. The surprise notice came from American Home Mortgage Servicing, which had absorbed Option One in May 2008. That fact alone sent George reeling. "I'm paying Option One. All of a sudden, American Home Mortgage tells me that my loan modification—that I sent to Option One—has been denied?" When he called and asked why his application failed, he says an agent told him it was short one document. "You mean to tell me you asked for twelve pieces of documents and you got eleven, and you didn't have the courtesy to pick up the phone or drop me a line?"

Fed up, George and Veronica found Chip Parker, who has developed a national reputation for successfully wrestling with servicers in 250 foreclosure defenses. Parker filed papers challenging the foreclosure, and soon the Gallons got a package from American Home offering the workout they'd previously been denied. "All is forgiven," George summarizes. "They're charging me another $25,000, but we start fresh." As long as the Gallons waived their right to sue, that is. That's a controversial clause regularly slipped into loan workouts, which advocates argue is the final stop in a long line of predation. Servicers lure desperate borrowers into agreements that accomplish nothing more than making sure a judge never sees the ugly details of either the original loan or the fee frenzy of servicing.

At Parker's urging the Gallons rejected the offer, which led to a second foreclosure filing—despite the fact that the first one remained an open case. And it didn't end there. They got yet another offer from American Home, a forbearance deal—a five-year, interest-only repayment plan that would cost them $67,000 in additional interest. "I think the idea is to have the homeowner keep chasing his tail until he gives up in frustration," Parker complains, noting that nothing in the Gallons' case is unique among his clients. "The default servicer has no interest in modification, because they're not paid for modification."

Indeed, researchers argue that the servicing industry's pay structure creates perverse incentives that impede loan modification, even when modification is in the best interest of both the investor and the borrower. Every month a servicer must send investors an advance with its take from the loan pool. The servicer then recoups that advance, plus its fee, when it collects from the borrower. As long as loans are performing, this system works well. But when one-tenth of all loans stop paying, servicers are stuck with the hot potato. Every month a delinquent loan doesn't perform, the servicer gets burned more. Which makes foreclosure the fastest way for servicers to stop the damage. It halts the advances, plus they get to charge investors and borrowers new fees.

And that means, for now, the only way for borrowers to slow the race to foreclosure is to make it a costly process for servicers, too. Now that the Gallons have a lawyer, for instance, American Home has let the case languish. Parker says that's where every case he's taken in the past two years stands today: once a borrower exerts leverage through a countersuit, the servicer disappears. The case becomes too expensive to pursue and thus moves to the bottom of the pile. Counselors and lawyers all over the country echo Parker, arguing that servicers have ceded no ground without being forced through litigation.

Even when servicers offer help, they often bungle the deal so badly that borrowers can't accept it. Take the tail-chasing game Litton Loan Servicing put Maryann and John Myers through en route to foreclosure. After nineteen years in their home, the Jacksonville couple took out an $84,000 subprime refinance in 2003. They worked hard to keep up, but when John got laid off last spring, they fell behind.

The Myerses dutifully contacted Litton to work things out, and Litton offered them a repayment plan that increased their monthly bill by nearly $300. John still had his second job, so they signed on and tried to comply. Within two months they were in trouble again—"recidivists," as it were. Litton filed for foreclosure.

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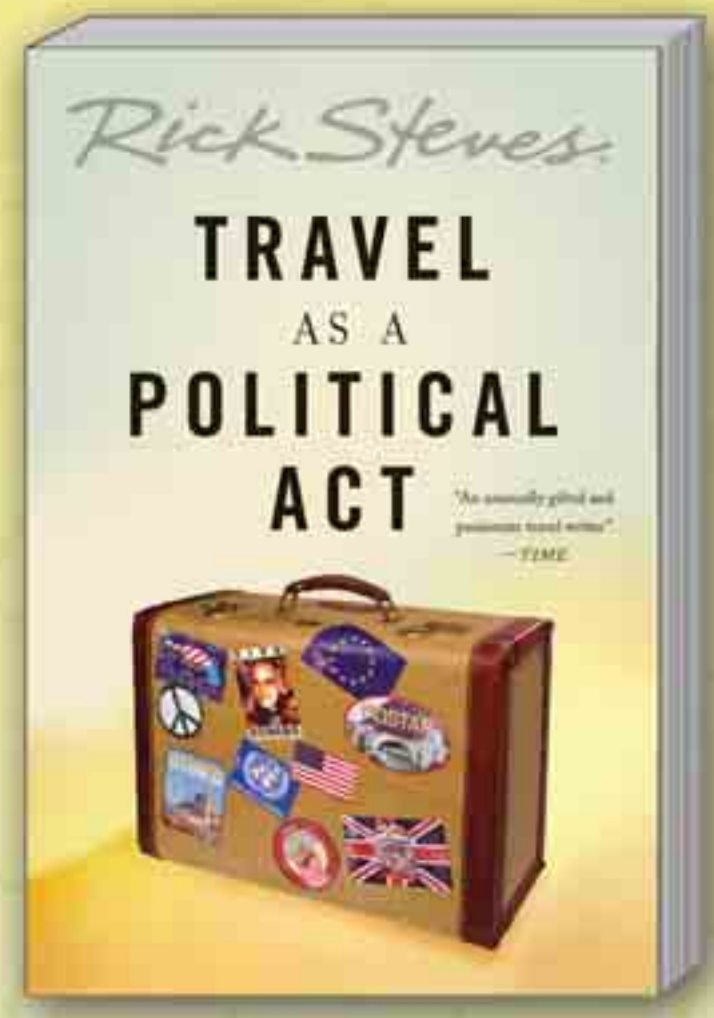

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But the Myerses kept trying to work things out, so Litton offered them a forbearance agreement. It said that if the Myerses could make even higher payments—another $200 more—the foreclosure would go on hold. The agreement's language was harsh. Late fees would continue to mount. There would be no grace period on monthly payments. "Even the slightest default shall be considered a material breach," it warned.

The Myerses sent the agreement back the same day they got it. But later that day a messenger arrived at the door with an entirely different deal—an actual loan modification that would have saved their home. It would have rewritten the loan so that the Myerses' monthly payments were nearly two-thirds less than that of their original loan, with an interest rate of just 4.6 percent. It gave the Myerses one month to make the first payment.

Maryann, who answered the door, was befuddled. "I said to [the messenger], 'Sweetheart, can I have a copy?' And she said, 'I can't give it to you. If you don't sign it I gotta give it back to Litton saying you refused.'"

But the forbearance agreement, with its tough talk about no grace periods, demanded the Myerses send a down payment in the next four days. And John says an operator at "some 800 number" he called told him that the foreclosure would move forward until he paid the forbearance. That meant the Myerses would have to pay on both plans simultaneously until Litton got in sync with itself. But they could barely pay one, let alone both. So they sent in the forbearance money and painfully passed up the modification that would have actually helped.

The average loss on a foreclosure is $130,000; the average loss when servicers write down principal is just $26,000.

April Charney of Jacksonville Area Legal Aid argues that this mortgage maze is more insidious than hapless, because few servicers can foreclose without committing fraud. The mortgage-backed securities market is terribly byzantine, but it's also one governed by hard and fast rules that make it labor intensive for all involved. And that militates against the high-volume, low-cost business models of originators and servicers. How have they gotten around this dilemma? Charney and a growing number of lawyers and judges say they simply cheat.

The first step of foreclosing is to show a court a mortgage assignment saying you own the loan. But it turns out that in the rapid-fire process of securitizing loans, few players slowed down long enough to mind this legal detail. So servicers and their law firms—which earn a flat fee per foreclosure and are loath to drag the matter out—fill out assignments and backdate them, sloppily leaving all kinds of tells. The signer and the notary will be in different cities. Origination dates will be left blank. The trust, which represents the investors who bought the loan, will appear as assigning the loan to itself, from itself.

Charney cites the infamous deposition of a Citi Residential Lending employee, Tamara Price. Jim Kowalski, a former prosecutor now handling foreclosure defense cases in Jacksonville, sat Price down in April 2008 to determine why her name appears over and over again as the signer on mortgage assignments in Citi's foreclosures. Price described an automated process for faking the assignments.

Does she prepare the documents? Kowalski asked. No, the foreclosure lawyer does. Does she review the case files, as testified in the affidavit? No. Does the notary witness her signing the documents, or even notarize them on the professed date? No. Price even revealed that the "vice president" title attached to her name on assignments is bogus. "They're lying," Parker rails. "They're filing fraudulent documents and giving this to a judge in order to kick somebody out of their house."

Servicers argue that they're unable to modify loans they don't own, which might anger investors by cutting into profits. Obama's plan addresses this assertion. It establishes federal standards for an appropriate modification—primarily by creating monthly payments that are no more than 38 percent of a borrower's income. If a servicer gets a borrower's payment down that far, the feds will chip in to bring it down to 31 percent. That encourages steep payment reductions, but it also gives servicers legal cover: the government has said, Here's a reasonable way to rewrite loans.

But many researchers and consumer advocates have long insisted that the servicers' professed fear of angering investors is a red herring. Valparaiso's Alan White has shown that investors lose far more money on foreclosures than they would on modifications. Looking at January's investor reports, White found that the average loss on a completed foreclosure was $130,000, or about 60 percent of the original loan amount. Meanwhile, the average loss for the few loans in which servicers wrote down principal was just $26,000, or 13.5 percent of the original loan.

Jim Carr of the National Community Reinvestment Coalition says the only firm that has grasped this fact is Ocwen Loan Servicing, based in Florida. "The question's not, Why are they doing it?" says Carr. "It's, What in the world is the rest of the industry thinking?"

Ocwen general counsel Paul Koches says the problem is that his industry isn't doing much thinking. "I'd love to some day be able to say to the media, it's all charitable and blah, blah, blah. But honestly, it's a win-win-win for us" to modify loans, Koches offers. The homeowner keeps the home, the investors get more money than they would for a foreclosure and Ocwen keeps collecting money from servicing the loan.

Ocwen is the largest remaining firm among a small crop that specialized in servicing subprime loans before the boom. Predictably, then, Koches is among those who consider the industry's consolidation an original sin. "You have prime-loan, big institutions that have acquired subprime operations but don't fully appreciate the difference." It's this fact that's held up modifications, says Koches, not the "various and sundry reasons" the broader industry has offered. "I think it's a smoke screen to cover an inability to execute modifications."

But here again, the Obama plan sets aside these structural

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concerns and instead aims to entice industry into better business by giving servicers billions of tax dollars. Rather than strengthening borrowers' hands, it aims to make working with borrowers as cost-effective for servicers as rushing to foreclosure. The administration will pay $1,000 for every loan modified in line with the new federal standard, and another $1,000 per year for every year the loan continues to perform. In addition, servicers will get $500 for every loan they modify that avoids default.

Of course, investors and borrowers have already paid servicers to do all these things, which already make the most sense for investors and borrowers alike. But the industry's high-volume, low-cost business model doesn't account for doing the hard part of the job. And that poses a larger question than the ones addressed by Obama's many technical fixes: can an industry built to rapidly and cheaply process huge numbers of overvalued loans be retooled as an industry that slogs through the detailed, highly skilled negotiations needed to rewrite those loans? And if so, does it make sense for taxpayers to foot the bill?

"The whole paradigm is a little frustrating, in that servicers have maintained that their hands are tied," says the California Reinvestment Coalition's Kevin Stein. "Now they say, 'Sure, Mr. President, if you give us $2,500, maybe we can do something.' So let's just say what it is: they have not been helpful because it's not in their financial interests to do so."

Obama's plan aims to fix this by offering servicers major incentives. It whittles away at the margins but avoids foundational questions: can the crisis be stopped as long as the mega-servicers call the shots, and can we simply buy them off?

The mega-servicers, for their part, certainly say their participation can be bought. The top three answered an ACORN survey by declaring that they plan to participate and that they intend to start right away. Nonetheless, the Mortgage Bankers Association sent a February 23 letter to the administration asking for "realistic expectations" of how quickly servicers will be able to move. The group offered its help to craft ways to "streamline the process."

One way industry lobbyists don't want the process streamlined is by giving borrowers leverage. Currently, bankruptcy judges are barred from modifying loans on primary residences. Changing that law has been a priority for consumer advocates for years, and Obama's plan asks Congress to finally do it. The point isn't so much to help borrowers who end up in bankruptcy court—hardly an ideal outcome—but rather to arm borrowers with a countering threat when offered crappy loan workouts. The large servicers do not relish the idea of a judge digging through poorly made and poorly serviced loans, many of them riddled with fraud.

Obama has repeatedly refused, however, to go to the mat on bankruptcy reform, and the banking industry sees this opening. After the House hustled its version through in March, industry lobbyists conspired with Republicans and moderate Democrats to kill it in the Senate, where it was stripped from the broader housing bill, leaving Obama's foreclosure relief plan toothless.

Many advocates say bankruptcy reform is, in any case, just the beginning. Some have called for a national moratorium on foreclosures. "We could lose a million homes in 2009 while we wait for servicers to catch up and implement modifications," says White. Problem is, the foreclosure process is governed by states, which means any federal move would be legally cumbersome and likely too narrow. So ACORN is lobbying the administration instead to entice states with TARP money to create mandatory "pre-foreclosure mediation" programs—sort of like arbitration for failing loans.

In an April 3 letter to Housing and Urban Development Secretary Shaun Donovan, ACORN pointed to the widely reported success of a mandatory mediation program launched under court order in Philadelphia last spring. Several states and localities have followed Philadelphia in creating some variation of mediation or are debating it. ACORN wants the administration to divert TARP money into matching grants for states that join the movement. It also asked HUD to let states fund mediation from the $6 billion in "neighborhood stabilization" cash that Congress allocated in the past year.

Obama's plan whittles away at the margins but avoids a foundational question: can we stop the crisis as long as servicers call the shots?

Mandatory mediation would give borrowers leverage to plug another hole in the Obama plan: that servicers are not forced to write down loan principals. The plan puts lowering interest rates ahead of writing down principal; it doesn't address the fact that many borrowers were conned into loans they could not afford, regardless of the interest rate.

Meanwhile, economist Dean Baker argues that the ideas on the table are mere stopgaps. He says the best way to give borrowers real leverage is to give them the right to stay in a foreclosed property as renters—making the house impossible to resell. "Suddenly, foreclosure looks like a less attractive option" than working out a deal, Baker says. He has pushed the idea in Congressional testimony, but it's gone nowhere. He blames "this ideology of homeownership" that says owning is always better than renting. A right-to-rent law, he argues, would force investors and servicers to work with viable loans while accepting the reality that some inflated equity never existed in the first place.

So far, none of these ideas for strengthening the borrower's negotiating hand have gained traction. In February ACORN launched direct action campaigns in twenty-four cities. Even as ACORN praised Obama's initiative, it declared that activists would begin blocking foreclosures. In many ways, that civil disobedience represents an escalation of the legal hand-to-hand combat defense lawyers have engaged in for more than a year.

"I feel like, at this point, bring it on," George Gallon declares angrily. "But I feel blessed. Because there are people with children, working really hard, and now they don't have a roof over their head—because of this." He thumps the mess of documents sprawled across his kitchen table. "It's ridiculous, and if you don't have somebody like Goliath, there's no end." ■

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One Hat for Labor?

Rethinking their split four years ago, unions are exploring reunification into a single federation.

by DAVID MOBERG

In the late afternoon of January 7, fourteen union leaders gathered around a big oval table in the top-floor conference room of the United Food and Commercial Workers' (UFCW) Washington headquarters to talk about how to unify the fragmented American labor movement. The four-hour discussion with a catered light dinner was chaired by labor-friendly former Representative David Bonior and was attended by leaders of the AFL-CIO, the breakaway federation Change to Win (CTW) and the independent National Education Association (NEA).

That evening's discussion led to more talks, and participants cautiously hope they can unite to better take advantage of the political openings for revival of the labor movement. Assembling all unions into one "house of labor" may not come quickly, if at all, but by early April the Bonior group had decided to keep working—as the National Labor Coordinating Committee—perhaps to make significant steps toward unity at the September AFL-CIO convention.

The 2005 split in the AFL-CIO grew in part out of frustrations in dark times: George W. Bush and a Republican Congress had been re-elected, and union membership was shrinking, slipping to 12.5 percent of wage workers and provoking fears that unions would sink to a point of no return. Unions fought over how the AFL-CIO should operate, whether unions needed to be merged and reorganized by industry, and whether the AFL-CIO spent too much time and money on politics (and other tasks) and not enough on organizing.

Now opportunities for progress are pushing those unions back together. Organized labor played a major role in November's Democratic victories. Unions have even expanded membership slightly in the past two years. The time is ripe for broad legislative gains, from universal health insurance to the Employee Free Choice Act (EFCA), which would make it easier for workers to form unions (though that bill faces obstacles in the Senate).

"We've just come off elections, and we've seen our collective work elect Barack Obama and a Congress more in line with the needs and aspirations of working people," says American Federation of Teachers president Randi Weingarten, part of the Bonior group. "That unity produced something, but it needs to improve every day between elections. A unified labor movement will better serve working families than when we're separated. When we fight together, we're stronger."

Unions create central organizations with hopes of realizing power through solidarity at all levels, from local communities to the global economy. But unity is not always a quick fix for labor's challenges.

Even after the 1955 merger of the AFL and the CIO unified most of labor, unions left and rejoined the federation, split over political endorsements, battled over organizing turf, ignored federation decisions they didn't like and often failed to practice elementary labor solidarity effectively (for example, when President Reagan broke the air traffic controllers' strike). But the loose federation did pull unions together on many tasks and provided a voice—though an increasingly stale, conservative and remote one—for American workers.

CHRISTOPHER SERRA

In 1995, following Republican Congressional victories, passage of NAFTA and Clinton's failed healthcare reform, John Sweeney won the first contested election in a century to lead the federation. He promised a new voice and more organizing, smarter political work, broader coalitions, more progressive policies—with militancy, when needed, to back them up and a reinvigorated federation from top to bottom (the often-ignored central labor councils).

But Sweeney had trouble getting every union to march to the same tune, and despite huge improvements in the federation's coordination of political work, victory was elusive, especially in the first six Bush years. Several union leaders complained that the federation was an oversize bureaucracy run more by staff and officers than by the unions that make up the federation.

The 2005 revolt that produced Change to Win was led by the Service Employees, Sweeney's old union, with major support from the Teamsters, Laborers, UNITE HERE (a merger of garment and hotel unions) and UFCW. With little engagement of members or secondary leaders, it was a rebellion of union presidents, many of whose demands had been promoted in weaker

David Moberg, a senior editor at In These Times, *writes frequently on labor for* The Nation.

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Professor Patrick Grim is a Distinguished Teaching Professor of Philosophy at the State University of New York at Stony Brook. A Fulbright Fellow to the University of St Andrews, Scotland, he earned his Ph.D. from Boston University. In addition to being a SUNY Distinguished Teaching Professor, Dr. Grim has been awarded the President and Chancellor's awards for excellence in teaching and has been elected to the Academy of Teachers and Scholars.

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form by Sweeney. But the rebels argued that the AFL-CIO was too focused on politics and not focused enough on organizing.

Leaders of local unions and state and city labor federations resisted the split, which threatened their joint work on politics, economic development and other issues. The AFL-CIO and Change to Win agreed that locals of the breakaway unions could pay dues for "solidarity charters" in state and city federations, and eventually four-fifths of CTW locals signed up. At the national level, unions in the two federations worked together on elections to varying degrees, but in most localities the links were even tighter.

Change to Win put three-fourths of its money into a Strategic Organizing Center and did not work in many of the areas the AFL-CIO tries to address, from public policy to legal affairs. Its smaller leadership group met regularly to strategize. Faced with reduced income, the AFL-CIO pared operations, focusing on politics and on helping unions beef up organizing programs.

Despite their stated intentions when they abandoned the AFL-CIO, the CTW unions, especially SEIU, subsequently became even more involved in politics. In turn, AFL-CIO unions expanded their organizing. CTW—despite some notable successes—also found that changing to win on a large scale was slow. "It's been a lot harder to get there than we thought and hoped," CTW executive director Chris Chafe says. So both federations have done comparably well overall organizing, and both have gained disproportionately by organizing quasi-public workers (like homecare workers), not in the tougher private sector.

Change to Win, despite some notable successes, found that changing to win on a large scale was a slow process.

Thanks to the split, a lot of effort had to go into coordinating work across federations. And the federations were at times at odds—for example, until recently on immigration (even within CTW). But the leaders of the federations and individual unions often met. At one such lunch in Brussels nearly two years ago during a global union council, presidents Joe Hansen of UFCW/CTW and Larry Cohen of the Communications Workers of America/AFL-CIO began talking about what a labor federation would look like if it was started from scratch.

They continued their talks, as did other groups of leaders, but election work pushed aside talk of a new federation, even as divisions developed in both federations. (CWA was itself part of a four-union alliance that was partly independent of the AFL-CIO political operation). After the election, as unions were involved with the transition of power, Cohen and Hansen contacted Bonior, who chairs American Rights at Work, a broad-based advocacy group through which both federations champion EFCA. They got support from CTW, invited the National Education Association to join and called the first meeting.

The NEA's participation is important. The nation's biggest union, with a presence in every state, the NEA has become more a part of the labor movement in recent decades: in four states it has merged with the AFT; many city chapters have joined the AFL-CIO's central labor councils; and it works much more closely with other unions on politics. But as an independent, strongly democratic union, it brings a fresh perspective without the scars of schism.

"In any conversation about where the labor movement should be headed, a union of 3.2 million should be part of it," says NEA president Dennis Van Roekel. "We've had a good, frank discussion and learned about each other. Regardless of how it ends, it will pave the way for more cooperation."

The talks started by defining the mission of the labor federation. "The only consensus was to focus on public policy, legislation and political mobilization and action," Cohen says. Or, as Hansen puts it, "the main role of the federation is to be the voice that speaks with authority at the federal level."

Surprisingly, since Sweeney pushed unions to organize, and CTW wanted even more federation resources for organizing, the Bonior group has initially downplayed a role for the federation in organizing. But there does seem to be interest in establishing one—or multiple, possibly sectoral—"strategic organizing centers." In any case, Cohen says, the emerging plan "encourages joint work, not just on organizing but on bargaining."

Some CTW leaders have said that reunification requires a new organization, not a return to the AFL-CIO. But Sweeney wrote in an early April internal memo that "the AFL-CIO will not be disbanding to start anew, it will not be subordinating itself to or merging itself into any other organization, and it will not be abandoning its historic mission of fighting for economic, social, political, and workplace justice at every level."

Many AFL-CIO union leaders think the federation just needs reform, not rejection. Although hopeful for reunification, Electrical Workers (IBEW) president Ed Hill says, "I don't see changing everything to accommodate a few people." But some CTW leaders think resistance to change could stymie unification. Too many leaders, Hansen told his union, "are not fully engaged regarding the fundamental change necessary to reshape our movement."

Most of the thorny details of structure, governance, finance and leadership remain wide open or have been deliberately postponed as leaders discuss what they want a federation to do. But the result, if there is one, will almost assuredly be leaner than the AFL-CIO, more ambitious than CTW and will borrow features from both. The group seems inclined to give more control over federation affairs to an executive committee made up of leaders of ten to twelve of the biggest unions, with another five members elected to represent the smaller unions, Hansen says. The committee would meet frequently, supplemented by periodic meetings of larger groups, including most or all of the nation's unions. Although there was a proposal for having

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rotating chairs and an executive director, there appears to be more support for an elected president. Small unions objected strongly in 2005 to SEIU president Andy Stern's insistence that they all merge into larger ones. Stern still seeks those mergers, but the Bonior group has not discussed the topic much, and Cohen says there's agreement that all unions would enter the federation with their jurisdictions intact. But smaller unions worry about losing their voice in a reformed federation. And it's true that the balance of power in the emerging sketch of a federation would shift to the big unions with the majority of union members.

Even some AFL-CIO affiliate leaders think a new federation needs to be leaner. "We need a federation that's inclusive, focused and efficient," Steelworkers president Leo Gerard says. "We can't be everything for everyone, and sometimes we try to do too much."

Indeed, a group of AFL-CIO union leaders, acting through the federation's executive committee, is reviewing what the AFL-CIO should do in advance of the convention. Firefighters president Harold Schaitberger thinks reforms might induce CTW unions to reaffiliate. "You build it—and well—and they will come," he says. Some internal group proposals parallel those in the Bonior group, and in March the AFL-CIO executive council endorsed both.

Now the focus is on what unions want from the federation. Soon that may shift to what should be left out, especially since some unions, like the Teamsters, strongly object to the higher AFL-CIO dues (65 cents per member, compared with 25 cents for CTW). But cutbacks, including those already made, still leave a tough financial problem: legacy costs of retired AFL-CIO staff.

Sweeney's imminent retirement means that the talk of reform and unification comes at a time when the AFL-CIO will elect a new leader. The Bonior group is rigorously trying to keep the issues separate, but the choice of leader could affect negotiations. "To me, the last discussion is who's going to run it," says Laborers president Terry O'Sullivan. "If we agree on budget, structure, roles and responsibilities, then we can get to it." Sweeney has endorsed secretary-treasurer Richard Trumka as his successor, and despite reservations some leaders express about him, no challengers have emerged.

Not every union leader is enthused about unification, especially if it involves what they see as concessions to SEIU's Stern, whose actions irritate many of his peers. "The Bonior committee is about making fundamental changes to make [reunification] palatable to Andy Stern," complains Machinist president Tom Buffenbarger, even though "things have only gotten worse for the defectors."

Indeed, some leaders worry that internal union battles could imperil reunification. The conflict among leaders of UNITE HERE has intensified as John Wilhelm—the former HERE president, who recently took control of the merged union—has accused Stern and SEIU officials of encouraging the old UNITE faction to disaffiliate, merge into SEIU and compete with Wilhelm's union to organize hotel, casino and food workers (and potentially move into UFCW's jurisdiction as well). So Wilhelm is seeking to reaffiliate UNITE HERE with the AFL-CIO.

Then there's the ongoing California strife in SEIU. There, former SEIU leader Sal Rosselli claims that a solid majority of his big, trusteed healthcare local now wants to disaffiliate from SEIU and join a new National Union of Healthcare Workers. Meanwhile, SEIU blocked some decertification votes and accuses Rosselli of various kinds of malfeasance. Rosselli, in turn, says SEIU harasses dissidents, even as more workers—including some from other California locals—petition to leave SEIU.

In case things weren't complicated enough, SEIU and its archrival, the California Nurses Association (a Rosselli supporter), recently agreed to a three-and-a-half-year cooperative national experiment organizing hospitals.

Even if unions can unite despite these squabbles, some union strategists argue that the current talks ignore possibilities for a bigger rank-and-file role in the federation (as in Canada); attend too much to parochial needs of the big unions rather than forging an organization that speaks for all workers; and focus more on short-term goals than a long-run strategy for labor. Despite forging broad agreements on political goals—such as EFCA and immigration and healthcare reform—unions remain divided, and confused, about long-term strategy. And while the labor movement influenced President Obama's response to the economic crisis, it has not offered a comprehensive progressive alternative program to keep pressure on the administration.

If pressure from labor and its allies can't bring about labor law reform in this Congress, unions will need unity to break out of their impasse.

If unions have focused much energy on EFCA, it is because, as the Communications Workers' Cohen argues, strengthening organizing and collective bargaining is an essential first step toward a more democratized and revitalized economy. "If you have nothing but markets," he says, "you end up with nothing. If you don't have a society with workers at the table [at work and in politics], then they can't join in the debate." But if pressure from labor and its allies can't bring about labor law reform in this Congress, unions will need unity on grassroots mobilization and militancy even more urgently to break out of their impasse.

Unification of most, if not all, unions is likely to involve some transitional steps, many participants believe. NEA's deliberative process, for example, means it would take at best a year or two for it to decide, and the Carpenters—now barely participating in CTW—are unlikely to embrace unification soon. And if unions don't reach some agreement by July, it will be hard for the AFL-CIO to implement any needed changes at the September convention.

Still, hopes for a more rapid reunion run strong. "I'd like to see the labor movement reunited," says Sweeney. "I take it personally. I'll do my damnedest for reunification." ■

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Vive la Révolution?

With boss-nappings, mass protests and the rise of the Anticapitalist Party, the far left in France is staging a comeback. But can it seize power?

by MARC PERELMAN

Paris

In April 1968 workers at a factory of Sud Aviation in Nantes, France, began a strike to protest the decision by the company to cut their hours and wages. A month later, they decided to lock themselves—and their boss—inside the plant. They were soon joined by leftist students, a turning point that transformed a series of youth protests into a nationwide social movement that nearly toppled the government of Charles de Gaulle.

Four decades later, de Gaulle's heir, President Nicolas Sarkozy, is facing massive street demonstrations, a rash of "boss-nappings" and the resurgence of the far left. To be sure, no new French revolution is in sight. But Sarkozy, whose popularity has eroded sharply since his election in May 2007, has warned of France's "eruptive" nature and is careful to remind his fellow citizens constantly that the main culprits of the economic meltdown are Wall Street, greedy bosses and tax havens—not him.

His concern is not so much the two massive one-day demonstrations, in January and March, against the crisis. Or that for the first time since World War II, all major trade unions will march together instead of separately during the May 1 Labor Day celebration. Rather, for someone who won the presidency two years ago on a law-and-order platform, the resurgence of radical actions is far more unsettling. On March 12, the CEO of Sony France was held by workers in a plant that was about to close; he was released the next day after agreeing to pay more generous severance packages. Since then, employees of a 3M pharmaceutical factory held an executive overnight after layoffs were announced for nearly half of them. In addition, three British executives in a Scapa Group adhesive-tape plant; the bosses at Faure et Machet, a printer plant that lost its contract with Hewlett-Packard; and two managers at the US car equipment plant Molex have been "sequestered," according to the authorities—"withheld" in trade-union parlance. At the US-owned Caterpillar plant near Grenoble, workers protesting a plan to sack more than 700 of them blocked the entrance for four days, until they were granted a meeting at the Ministry of the Economy.

Most of those actions have targeted local executives who have little say on the global strategy of the large companies they work for. The only instance of a highflying executive being forced to face the wrath of his underlings was the time luxury-brand magnate François-Henri Pinault's car was briefly surrounded by salesclerks angry about layoffs in his stores, an incident captured by TV cameras.

MICHEL EULER/AP

French shoppers help themselves during a "wild picnic" organized by an anticapitalist group.

Sarkozy has strongly criticized such actions as unlawful, although the authorities have refrained from prosecuting the perpetrators. The reason is simple: at least half the French public supports or understands these tactics, according to the polls. But whereas holding executives, invading facilities and violent scuffles between workers and the police were routine from the late '60s to the mid-'70s, today's rerun is far more limited—in scope and in meaning.

"In the '70s, those movements were backed by a political offer on the left that included a program of nationalizations, planned economy and self-management, i.e., a break with market economy," says Guy Groux, an expert on labor relations at the Center for Political Research here in Paris. "Today there is no political alternative; workers are just trying to bargain over layoffs and severance pay."

Antoine Lyon-Caen, a professor of comparative labor law at the University of Nanterre, the birthplace of the student movement in 1968, sees the sequestrations as a telling metaphor. "It's a way to oblige the employers to actually face their employees, to look them in the eyes. There is no escape," Lyon-Caen said. "It so happens that capitalism is on the run right now, and so it is a way to oblige its representatives to see the reality it has wrought."

The outcry over the excesses of financial capitalism has even

Marc Perelman, a freelance journalist based in Paris, was formerly the diplomatic correspondent of the Forward.

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reached private-sector employees, including at the managerial level. "This is new," according to Jean-François Bolzinger, a senior official with the General Confederation of Labor (CGT), a leading union that was for decades affiliated with the Communist Party. "We are seeing management people inform us about what companies intend to do, especially when it comes to moving factories abroad. Just imagine, those guys are talking to the CGT!"

Jean Kaspar, who started working as an electrical mechanic in a potassium mine at 14, vividly remembers the couple of hours, back in the 1970s, during which he and his comrades locked the factory boss in his office "because he did not want to discuss." Kaspar, who eventually became the head of the leading French Democratic Labor Confederation (CFDT) trade union in the late '80s, notes that the current "withholdings" are undertaken mostly by low-skilled and aging workers in areas suffering from high unemployment—in other words, people for whom finding another job is unlikely and going on strike not much of an option because they are stretched financially.

For Kaspar, who heads a consulting firm specializing in labor issues, the incidents illustrate the breakdown of social dialogue in many companies. "Worker reps should be associated early on with the decision-making process rather than asked to swallow orders and try to mediate their consequences," he said. Moreover, the contrast between the litany of layoff plans and the daily revelations about inflated bonuses and golden parachutes has added fuel to the fire. So has Sarkozy's refusal to budge on some of the free-market policies he put in place. The most symbolic is the so-called fiscal shield, which limits the level of taxation to 50 percent. Sarkozy has for now brushed off calls, even from his own camp, to repeal or amend this measure, which clearly favors the wealthy.

Sarkozy counters that the crisis is a US import and that France's vaunted social safety net has helped the country fare better than its neighbors. And he knows that unlike the massive strikes and demonstrations in 1995, 2003 and 2006, which were focused on specific issues (retirements, job programs), the current street mobilizations have no clear objective and thus pose no threat. He is pinning his hopes on a quick end to the recession and on major trade unions channeling the discontent in an orderly way.

"Sarkozy is playing for time and is betting that people will get tired of the social protests, just like Maggie Thatcher did in the 1980s," says Isabelle Sommier, a sociology professor at the Sorbonne. "But this is a very risky strategy, because we are sitting on a volcano."

In addition to factory shutdowns and sequestrations, a movement of university professors and researchers protesting a reform of their status has unfolded since February, with little input from trade unions. As a result their actions have taken decidedly original forms. For instance, a group of professors from a Paris university are giving "classes" to subway passengers. In front of the Paris City Hall, academics, students and sympathizers have been walking in circles nonstop since March 24 in what they call the "infinite circle of the obstinate." They are taking a page from Italian filmmaker and leftist militant Nanni Moretti, who in 2002 organized *girotondi* around official buildings to call for justice and denounce the government of Silvio Berlusconi. Professors and students have also held multiple marathon public readings of *La Princesse de Clèves*, a classic of seventeenth-century romantic literature written by Madame de Lafayette, a tongue-in-cheek response to Sarkozy, who last year tartly remarked that he found reading the book a drag and thought it a waste of time for those preparing to enter government service.

Another original form of action are the "wild picnics" staged by activists, who enter a supermarket, unfold a table and begin eating from the shelves until they are ousted by security personnel. Their goal is to protest the high food prices asked by large distribution chains. The association behind those monthly happenings is close to the New Anticapitalist Party (NPA), launched a few months ago by a smallish Trotskyite group in an effort to become the standard-bearer of the far left. Riding the coattails of its young and charismatic leader, Olivier Besancenot, who splits his time between his political activities and working as a postman, the NPA is having a field day, thanks to Lehman Brothers. CEOs have indeed become fair game for most of the French, including Sarkozy, who routinely rails against "gangster thugs."

At 'wild picnics' protesting high food prices, activists unfold a table and begin eating from supermarket shelves until ousted by security.

Ingrid Hayes, a member of the NPA's executive committee, explains that its model of social upheaval is the recent general strike over wages in Guadeloupe and Martinique, in the French Antilles, which ended up forcing the government to compromise with workers. "We know we can't replicate it here for now, but this is what we are seeking," Hayes says.

Besancenot spends a lot of time in factories across the country lending support to strikers and never misses an opportunity to remind his audiences that he himself was on a picket line for several weeks to oppose the privatization of the national postal service. This has struck a nerve among unions, which see factories as their turf. François Chérèque, head of the CFDT, lashed out at the NPA, claiming the party was behaving a "little bit like vultures." NPA officials counter that they are not encroaching on union territory but merely offering bolder responses to the situation.

In broader terms, the party views the social unrest as a quintessentially political moment that deserves a political response—not merely an isolated strike or a street demonstration. "Trade unions are not opening perspectives, and this is

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not good enough for the more combative sectors," explains Hayes. "We are mindful of the independence of the unions, but we reject the notion of a waterproof separation between the political and the social arenas."

Besancenot, who has replaced the fading Communist Party as the leading force of the "left of the left," is also benefiting from the constant squabbling and weak leadership of the Socialist Party. In this regard, he sees eye to eye with Sarkozy, who is following a strategy that bears a striking resemblance to the cynical game played by his predecessor François Mitterrand twenty-five years ago. At that time, the Socialist president quietly encouraged the emergence of Jean-Marie Le Pen's far-right National Front in an effort to weaken his conservative enemies. Just as Mitterrand warned against the rebirth of the dark forces of fascism but profited from it politically, Sarkozy is denouncing the looming danger of a violent ultraleft as a way to cripple the Socialists. He has, for instance, associated Besancenot with the violent incidents that surrounded the NATO summit in early April. His government also dismantled a group of leftist anarchists who, they alleged, perpetrated a series of crude explosive attacks on the overhead power cables of railway lines. To be sure, the postman-politician fiercely rants against Sarkozy. But at the same time, Besancenot relishes the publicity. "We won't complain that we are polarizing the political situation," says Hayes.

While the NPA is quick to dampen any expectation that it will crack the 10 percent ceiling for the first time in the June elections for the European Parliament (Besancenot received just above 4 percent in the 2007 presidential poll), the party is obviously banking on the tense social climate to help its performance. While those elections are traditionally marked by low turnout, they can be a steppingstone. In the 1984 European elections, Le Pen garnered almost 11 percent of the vote, the first time he had reached double digits. He would go on to match this performance in nearly all ensuing elections, reaching an apex in the presidential poll of 2002, when he obtained 17 percent and beat the Socialist candidate to reach the second round (where he was trounced by the Gaullist candidate, Jacques Chirac). Ironically, the aging far-right leader is leaving the political scene, bequeathing his nasty blend of nationalist and racist discourse to his daughter Marine. She has tried to tap into the social discontent by reviving the populist stances that enabled the National Front to seduce part of the lower middle class over the years. Some observers predict that the far right will actually end up gaining if violent acts multiply and intensify. In this case, Sarkozy certainly hopes to capture their votes as he did in 2007 and emulate de Gaulle, who was eventually able to turn the tide in 1968 by riding a wave of outrage over the paralysis of the country.

Sarkozy might not like classic French literature, but he knows his contemporary history: it took another thirteen years after the May '68 events before a Socialist became president. ■

Letters

(continued from page 2)

Your apologia is misplaced.

Leonard Meyerson

Greenfield, Mass.

For us liberal Zionists, the play represents *not* a dissenting opinion but the opposite: the majority, and rancorously suppressed, opinion. The characters are types—with attitudes that alternate between fear and viciousness. There is the possibility of sensitivity to the experience of the typed characters, but that is not written deeply into the play. As the article mentions, the staging is nearly entirely at the discretion of the directors and performers. Among many who present the play, there is limited sympathy with the experience that underlies the types. Some of it is describable as excessive, insensitive to the other to the level of willing violence, banal violence. But unlike most drama, which evokes sympathy from multiple perspectives, the sympathetic protagonists of *Seven Jewish Children* are the unfaced children.

It's an unspoken irony that each of the callous types was once the original child in the story, who grew up with the confusion of her times, facing the confusion of how to address violence directed at her. In a way the author and the audience are also protagonists, asking and asked to adopt callousness toward the other.

Richard Witty

Mineola, N.Y.

Caryl Churchill goes beyond the brutality of Israel's Operation Cast Lead to lay bare the bitter irony of the original Palestinian expulsion of 1948: a land filled with people dispossessed by a persecuted people in search of a land. As incendiary as Churchill's opus may be, it barely scratches the surface of this tragedy. Readers concerned about human rights should read *The Ethnic Cleansing of Palestine*, a sobering book by Ilan Pappe, Israel's most courageous historian. Meanwhile, the Jewish state must return to the ancient Judaic tradition of *tikkun olam*: healing the world. In this way, 7 million Israelis can make peace with the past—and heal the tragic rift with the Palestinians.

Rosario A. Iaconis

Carmel, Calif.

To AIPAC and to those who resist allowing *Seven Jewish Children* and *My Name Is Rachel Corrie*, etc., to be performed:

You are dead
If you will not talk about
What you will not talk about
Or allow me to talk about.
I do not allow you to be dead.
Do not be frozen in the Camps.
Do not stop us from suggesting that
America
Could be a better friend to Israel
differently,
Or that to criticize is an act of love.
Do not disallow that Israel might be
partly wrong,
Or that the Palestinians might be only
partly wrong.
If you will not talk about how they
might be partly right,
Then you are dead.
Judaism is ethical;
To be Jewish is always to see oneself
on the edge of being wrong
And not to flinch from the balancing act
Of being fully alive and fully
seen by God.
We must talk.
We must talk about it all.
I do not allow you to be dead.
Do not do that to yourself.

Stan Smith

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Books & the Arts.

Chronicle of a Death Foretold

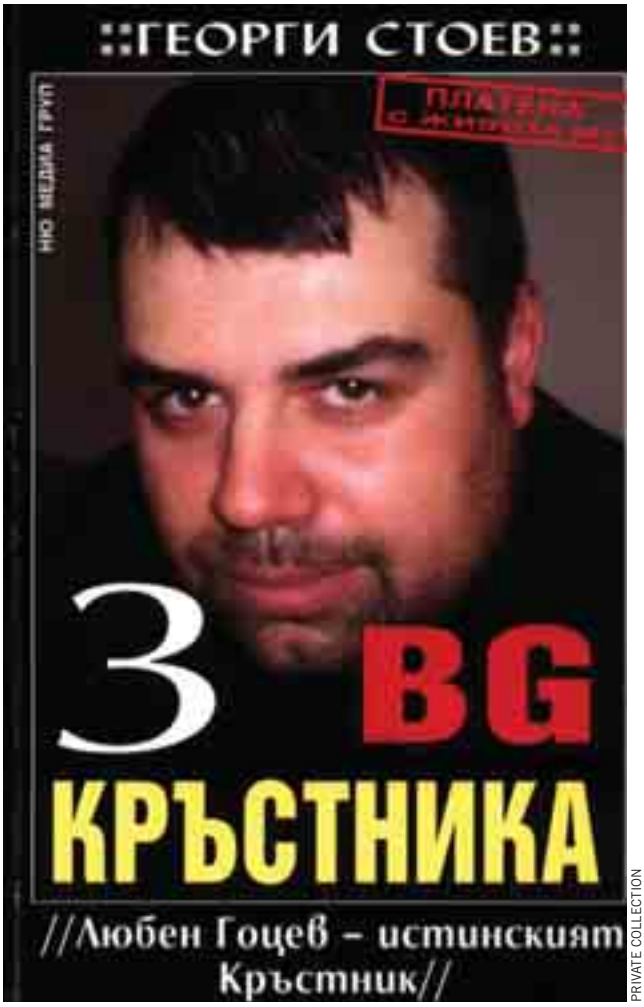
by DIMITER KENAROV

It was a dirty job, but the instructions were clear. No professional assassins or criminals; no ex-soldiers, either. He had to recruit "normal guys" who had never murdered anyone. "Well-trained mercenaries can always sell you out," his boss warned him while they were taking an early-morning jog in the park. The weather was cold and rainy, and the two men were perfectly alone. "I want you to find some hotheaded fools. Tell them whatever you want; tell them they'll be part of our hit squad, keeping the city free of scum. That's going to boost their morale. And don't pay them too much. We might need them again at a later date."

The boss wanted no fuckups. The guns needed to be clean and well greased. The bullets were to be handled with gloves only. The hit man had to approach his victim from behind. "There's no place for heroics here. This job is a bitch. Two shots in the back, then a 'verification' shot in the head. And no running afterward. It's important that your man walks calmly away from the scene, even in the presence of a hundred witnesses. He could be certain that nobody's dumb enough to give him chase."

Georgi Stoev listened carefully to Poli Pantev as he went over the instructions, detail by detail. In the last couple of years, Pantev had asked Stoev to execute all sorts of grisly orders, but nothing as gruesome as this. He was flattered that his boss, one of the kingpins of SIC (Security Insurance Company), a Bulgarian insurance racket, was entrusting him with a job at once so intimate and dangerous. To be like his favorite gangster, Luca Brasi, Don Vito Corleone's ruthless and loyal top button man, had been his longtime dream. *The Godfather*—both Francis Ford Coppola's movie and Mario Puzo's book—was a sacred text for a whole generation of Bulgarian gangsters, and Stoev was no exception. He was happy to be given the chance to become a fiction character. It was an offer, one might say, that he couldn't refuse.

As it happens, there is no unassailable proof of whether Georgi Stoev organized any contract killings, or if the conversations with Pantev he relayed so faithfully years later in interviews and a wildly popular series of autobiographical books published in Bulgaria were instead the product of his rowdy imagination and unquenchable longing for fame. One fact, though, is beyond dispute, having been processed by death's uncomplicated bureaucracy. On April 7, 2008, in the middle of the day, at one of the busiest hubs in the capital city, Sofia, Georgi Stoev received two shots in the back, then a "verification" shot to the head. The two hit men walked calmly away in the presence of hundreds of witnesses. Nobody was dumb enough to give them chase.



PRIVATE COLLECTION

A cover of Georgi Stoev's final book published before his death in April 2008, *The Bulgarian Godfather 3*

The history of organized crime in Bulgaria is, among other things, the story of Georgi Stoev. The tale can be said to begin on November 10, 1989, when Todor Zhivkov, the country's dictator, was peacefully swept from power by his own party apparatus, effectively ending forty-five years of ignoble Communist rule. Democratic reforms were soon introduced, and Bulgaria's economy moved toward rapid liberalization. Rigorous media censorship disappeared; political dissidents and "enemies of the people" stopped disappearing. A freely elected parliament voted on a new constitution that broke the monopoly of state power, established electoral pluralism and guaranteed the rights of all citizens. Waving the blue flags of the Union of Democratic Forces (the political opposition) and raising victory signs, people marched daily through the streets of Sofia, bubbling with excitement at their newfound liberty. It was a scene worthy of CNN coverage.

Yet when the Wall came down the roof caved in as well, crushing millions of unsuspecting inhabitants of the Soviet archipelago. Bulgaria, once Moscow's most obliging East European satellite, was left decimated in the early 1990s. The dissolution of Comecon, the economic alliance of the Soviet bloc, deprived Bulgaria of the easily accessible markets that had sustained its planned economy. Unemployment soared, and inflation reached a staggering 473 percent in 1991 alone, wiping out private savings and reducing the majority of the population—menial workers and

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engineers alike—to abject poverty. The country's financial system, saddled with sizable foreign debt obligations incurred by the Communist Party, upward of $10 billion, was near bankruptcy. Bulgaria's dire economic situation was a product of the long-term ineptitude and greed of party apparatchiks, yet in 1990 those same apparatchiks were voted back into power in free elections. (Though numerous legal charges were brought against Zhivkov, many of his associates escaped prosecution and eventually returned to government.) Living standards were all that mattered to the population, but the promises of prosperity under a liberalized economy were proving to be empty. Misplaced nostalgia for "the good old days" became the dominant mood.

In post-1989 Bulgaria, some of the best athletes became the most feared mafia bosses.

The demise of Zhivkov's regime created a power vacuum that the country's fledgling democracy was unable to fill, leaving everything up for grabs. As Misha Glenny writes in *McMafia: A Journey Through the Global Criminal Underworld*, the opening chapter of which fittingly traces the history of Bulgarian organized crime, "Countless states found themselves cast into the purgatory that became known as 'transition,' a territory with ever-shifting borders. In these badlands, economic survival frequently involved grabbing a gun and snatching what you could to survive." In the transitional world of Bulgaria, where trade laws were either obsolete or nonexistent, criminal enterprise thrived with absolute impunity, from the most rudimentary kinds of racketeering, to trafficking in fuel, cigarettes, narcotics and stolen automobiles, to financial scams, money laundering and the siphoning of assets of state companies and banks. Crime became a shadow economy, accounting at the end of the 1990s for 30 to 35 percent of GDP, and anyone who refused to participate in it was usually told, in the Luca Brasi manner, that "either his brains or his signature would be on the contract."

Bulgaria's post-Communist mafia was dominated by a ragtag bunch of brawny boys without jobs, but it did not originate with them. The country had been functioning primarily as a criminal venture long before 1989, supporting what the sociologist Ivan Chalakov has called "a state system of contraband." In the 1960s the notorious State Security had founded Kintex, a trade company that sold military equipment and arms to warring parties in Africa and the Middle East, while at the end of the 1970s the division aptly named Hidden Transit managed the smuggling of gold, cigarettes and other commodities. With its central location in the Balkans, where it is bordered by Greece, Turkey, Romania, Macedonia, Serbia and the Black Sea, Bulgaria also controlled nearly 80 percent of the narcotics traffic between Asia and Europe, from which it extracted enormous cash dividends. Although Zhivkov's iron grip on power had mostly swept the streets of crime, making Bulgaria's towns and villages pleasant and safe, his autocratic government was running a rogue state.

By the mid-1980s, Bulgarian party officials were aware that the Soviet flagship together with its fleet of smaller vessels were heading toward disaster. There was no time to lose. By some estimates, between $4 billion and $9 billion of "red capital" was transferred to clandestine accounts in Western European and US banks in 1989–90. Those who benefited most from the newly liberalized markets were members of the *nomenklatura* who could exploit their financial and political connections to redistribute national wealth and register the first private companies. High-level functionaries did not so much relinquish power in November 1989 as single-handedly privatize the state they had once governed; the Communist dictatorship simply turned into a capitalist monopoly. The rescued regime did not bother to help the beleaguered nation but instead continued to exploit it for its own benefit. Communist functionaries backed Bulgaria's nascent mafia, exchanging the highly organized, repressive functions of a former totalitarian state for the stateless totalitarianism of organized crime.

On November 10, 1989, Georgi Stoev was just 16. Born and raised in Sofia, he was the son of working-class parents who could afford only the bare essentials. Stoev was a diligent student and a fine athlete with dreams of making it big one day. After finishing high school and his military service, he planned to pursue a career in athletics. For years he had been involved in sambo, a popular sport in the former Soviet bloc that combines traditional wrestling techniques and Eastern martial arts. Sambo and other power sports like wrestling, weight lifting and boxing had always been the darlings of Soviet athletics. Having few other means of flexing their muscles at the West, Communist governments lavished money and resources on stocky men in spandex. Bulgaria was no exception. Because it lacked opportunities to overthrow its enemies on the diplomatic stage, it competed for authority on the mat and in the ring. Athletes who prevailed in international competitions were feted as heroes and rewarded with special privileges—cars, large apartments, pensions, military rank, even political connections.

Though not the best in his class, Stoev did not lack talent. "He had a few medals from municipal competitions," his mother told me. "He was a good boy." A serious knee injury, however, cut short his sambo career soon after the Zhivkov regime collapsed. It was just as well. With the economic crisis deepening, the hefty state budget for sports was slashed, and many of the leading professional training schools for athletes had to close. "My life changed back then. I stopped receiving scholarships. I would go out more and more often in search of money," Stoev said in an interview published posthumously in the Sofia daily *24 Hours*. Athletes were not spared the general fate of the country. Penniless and adrift, many of them began roaming the streets looking for lucrative ways to test their stamina and strength.

Some of the best athletes went on to become the most feared mafia bosses of the 1990s: Ivo Karamanski, the Iliev brothers (Vasil and Georgi), Iliya Pavlov, Dmitriy Minev, Mladen Mihalev, Krasimir Marinov. They were all classmates, all thrived in the underworld and are all, but for the latter two, now dead, casualties of gangland justice. Georgi Stoev did not belong to this elite group, but he was one of the countless other poor men and women who, impatient to see the wheel of fortune make its next revolution, joined the emerging crime syndicates. The mob guaranteed at least some kind of job security. And to the lucky few, crime promised the luxuries the party had once offered to prizewinning wrestlers—fast cars, large apartments, income, special privileges, respect.

Although the word "wrestler" eventually became slang for "criminal" in Bulgaria, all sorts of people drifted into the underworld: con men; prominent doctors, lawyers and public servants; day laborers from the countryside scrounging for a buck. But the most important element of the underworld—the organization—was supplied by the government: during the institutional depoliticization that occurred between 1990 and 1992, nearly 17,000 State Security operatives were dismissed, as well as thousands more militia-

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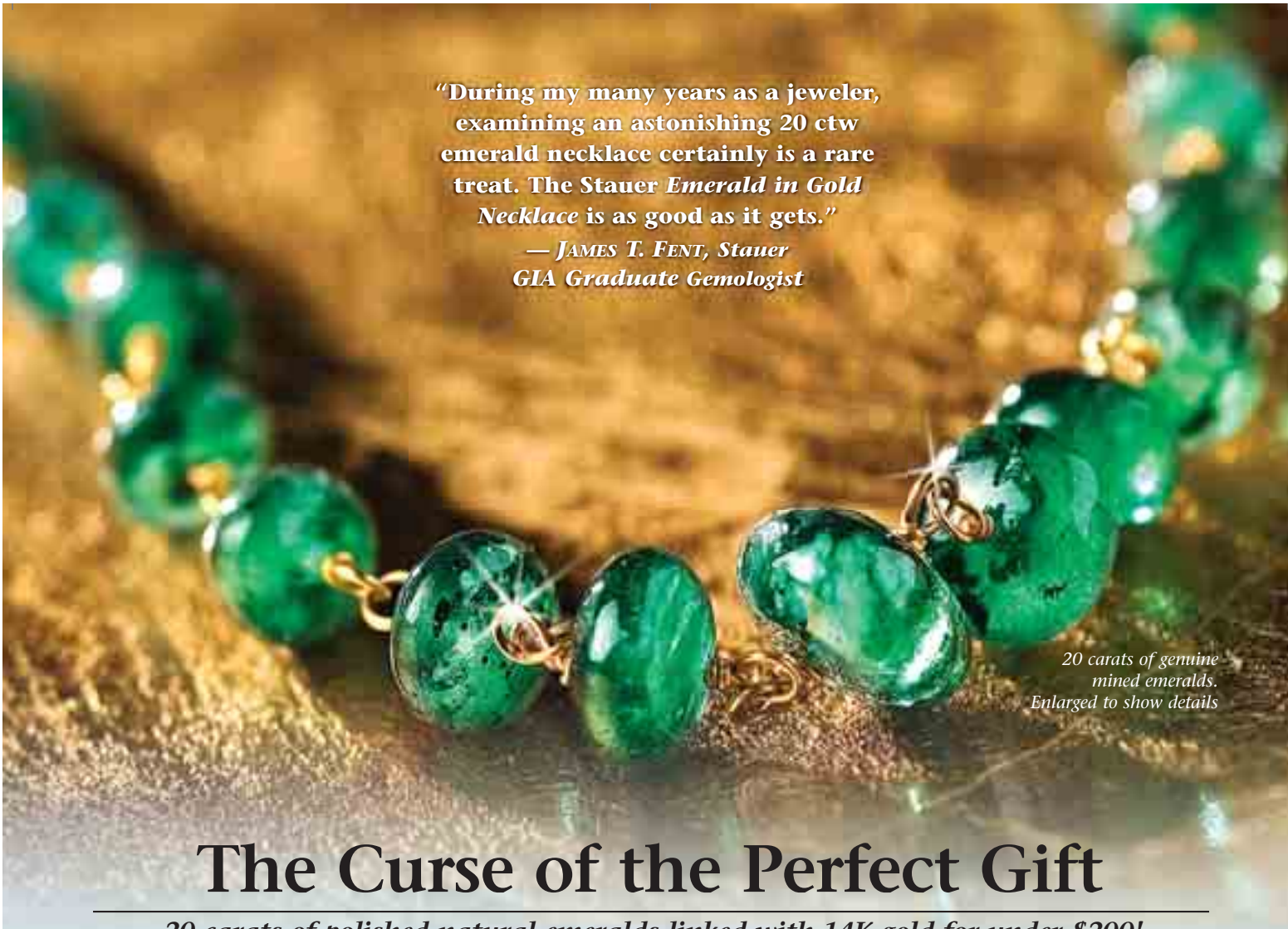
"During my many years as a jeweler, examining an astonishing 20 ctw emerald necklace certainly is a rare treat. The Stauer *Emerald in Gold Necklace* is as good as it gets."
— *James T. Fent, Stauer GIA Graduate Gemologist*
20 carats of genuine mined emeralds. Enlarged to show details

The Curse of the Perfect Gift

20 carats of polished natural emeralds linked with 14K gold for under $200!

It happened on our last trip to South America. After visiting the "Lost City" of Machu Picchu in Peru, we ventured through the mountains and down the Amazon into Brazil. In an old village we met a merchant with an impressive collection of spectacular, iridescent emeralds. Each gem was tumbled smooth and glistened like a perfect rain forest dew drop. But the price was so unbelievable, I was sure our interpreter had made a mistake.

But there was no mistake. And after returning home, I had 20 carats of these exquisite emeralds strung up in 14k gold and wrapped as a gift for my wife's birthday. That's when my trouble began. She loved it. Absolutely adored it. In fact, she rarely goes anywhere without the necklace and has basked in compliments from total strangers for months now.

So what's the problem? I'm never going to find an emerald deal this good again. In giving her such a perfect gift, I've made it impossible to top myself.

To make matters worse, my wife's become obsessed with emeralds. She can't stop sharing stories about how Cleopatra cherished the green gem above all others and how emeralds were worshiped by the Incas and Mayans and prized by Spanish conquistadors and Indian maharajahs. She's even buying into ancient beliefs that emeralds bring intelligence, well-being and good luck to anyone who wears them. I don't have the heart to tell her that I'm never going to find another deal this lucky.

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Our elegant *Emeralds in 14K Gold Necklace* features 20 carats of smooth, round emerald beads, hand-wired together with delicate 14K gold links. Each bead is unique in both size and color, ranging from transparent to translucent. The 18" necklace fastens with a spring ring clasp. If you are not thrilled at this rare find, send it back within 30 days for a full refund of the purchase price. But remember, we have only found enough emeralds to make a small limited number of necklaces and earrings at this low price.

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men and army personnel. Drawing on their extensive political influence and intimate knowledge of the old smuggling networks of the Communist regime, they laid the groundwork for organized crime and also got involved in the action. "There was no way to become a mafia boss without support from the police or some party functionary," Stoev told the TV hostess Veneta Raykova early last year.

When Stoev descended into the criminal underworld, he had already freelanced for a spell as a petty thief—a few stolen tires and car batteries, some carjackings, several random muggings. His breakthrough, by his own account, came when he began working for the notorious "violence entrepreneur" Vasil Iliev in the early 1990s. With law enforcement in Bulgaria almost entirely dysfunctional, Iliev decided to start a security firm called VIS (Veracity, Investments, Security), a thinly veiled extortion racket. A spinoff, VIS-2, peddled car insurance no one could afford to go without, unless he wished to pay "ransom" for his missing vehicle. Thieves who meddled with property insured by VIS-2 were quickly found and "chastised" for their disrespect. Stoev was a foot soldier in the chastisement brigades.

It was a labor-intensive job. One fearless car thief, who did not want to confess his crime, was bound to a bed in a basement and beaten with metal rods. Describing the incident years later in the book series *SIC*, Stoev wrote, "We beat him black and blue, but we were careful not to break his bones. A beating has its own internal logic and psychology like any other human activity. It goes through the following stages: First, the victim feels intense pain and screams. Then he goes limp, his organism gives up, and he is ready to confess anything. He takes the punches without protest and, if he's still conscious, wonders whether he'll die now or later.... A beating is hard labor.... It's a whole art in itself." Stoev was not completely insensitive to other people's suffering, though he tried everything possible not to think about it. "In the basement I behaved like a beast," he admitted ruefully, "but out in the daylight I managed to forget about everything. It was my survival strategy. I existed in two parallel worlds." It was an existence that was taking its toll on both victims and victimizers.

When Vasil Iliev was ambushed and murdered in the middle of Sofia in April 1995, nothing much changed for Stoev. He was already working for Iliev's friend and nemesis, Poli Pantev, an executive director of SIC. Inspired by the success of VIS-2, SIC had been formed in 1994 by several leading crime figures. It had commandeered a large chunk of the growing insurance market and diversified into other highly lucrative sectors: gambling, banking, speculation in food commodities, smuggling embargoed petrol to war-torn Yugoslavia (an operation comparable in its clout and profitability to bootlegging in the United States during Prohibition). Stoev still participated in violent punitive campaigns against competitors and enemies of the company, but less often. The exact arc of Stoev's criminal career remains vague, but at the end of the 1990s he was apparently promoted to more respectable positions. Pantev, whose "cruelty combined with sharp intelligence" Stoev greatly admired, appointed him a casino staffer and then the manager of a striptease club in Sofia. "It was a fancy club, with crocodile skins and snakes hanging from the walls. Very classy. And Georgi was always surrounded by bodyguards," recalls Dobrin Dodev, Stoev's best friend and attorney. Pantev even gave his employee a gold ring with the inscription "From Poli"—a gesture that placed Stoev in his boss's inner circle.

It may be that after his mob past, Stoev's most precious asset was his lack of imagination.

Pantev certainly had reason to trust him. Unlike ordinary gangster rabble, Stoev didn't drink or use drugs except for occasional mild sedatives to take the edge off his job. He was disciplined and resourceful. Whether that trust eventually accrued into direct offers for contract killings is not clear, but according to Stoev's accounts, Poli Pantev, as well as another powerful boss from SIC, Mladen Mihalev, asked him to be a middleman in the recruitment of assassins. Bulgaria's underworld was daily becoming more and more crowded with various criminal organizations battling for turf, and the cheapest and fastest way to reaffirm one's claims was by eliminating other claimants. But it seemed that Stoev hadn't done his job very well when the competition finally got to his boss: after surviving one failed assassination attempt that involved a rocket-propelled grenade, Pantev was killed with four shots to the head at a hotel in Aruba in March 2001. He was succeeded by Georgi Pehlivanov, another shadowy character from SIC. And Stoev, like movable property, was reassigned to the new boss.

Bigger changes were stirring. Stoev was ecstatic when his wife, Svetla, a former biathlete, gave birth to a daughter, Jacqueline, in 2001. "He was a very caring father and husband," Svetla recalls. "He would do anything for his family." Stoev's years as a family man were his happiest and also the most economically challenging. It is not exactly clear when or why Stoev cut his ties to the underworld, but the break seemed irrevocable. He might have sought revenge for some injury, or perhaps wished to protect his loved ones, or wanted to become a better man—Stoev never provided a clear explanation and left people guessing. Most often he would say that he wanted to quit the contract-killing business and leave behind the ignoble past, start a new life. Journalists were baffled with his simple answers, but he refused to provide more details. Whatever his motives, his choice to abandon criminal life left him destitute, at least for a short time. According to Dodev, Stoev lost his savings in the ill-reputed First East International Bank, an institution partly owned by Mladen Mihalev. He ran a pharmacy that failed. He was eventually forced to sell luxury items he had acquired as a mobster, including two Mercedes sedans. In time, with money running low, Stoev's most marketable option was to provide for his own and his family's future by cashing in his one remaining asset: his past.

"My books are not fiction. They are the absolute truth; they are my life." During the last year of his life, Stoev repeated this claim on talk shows, in newspaper interviews, almost anyplace where someone would lend him a microphone or an ear. By 2007 he had written ten popular books on the Bulgarian mafia and become a minor celebrity. Their serialized titles were plain enough: *VIS*, *SIC*, *The Bulgarian Godfather*. Stoev was a straight-shooting gunslinger who didn't wear the bulletproof vest of allegory. His books contain no relative points of view, no epistemological conundrums, no disclaimers. Things happened the way they did, and that was that. Many others—journalists and novelists and sociologists—had written expertly about organized crime in Bulgaria, but they were simply observers and commentators. Georgi Stoev was something else: an inside man, "the chronicler of the mafia." It may be that after his past, Stoev's most precious asset was his lack of imagination. "The things I write about are things I've personally seen or things I've

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heard from people who are reliable and wouldn't lead me astray," he said in an interview for TV2, a small private network, in February 2008. Articulate and soft-spoken, Stoev was a beefy, bull-necked man the size of a bulky wardrobe with a square head thrown on top like a discarded hatbox.

The writer's psyche in the body of a "wrestler" looked slightly ridiculous on television, but the whole nation was mesmerized. In a country where even successful novels sell a few thousand copies at most, the print runs of Stoev's books reached the tens of thousands. No central bookstore or provincial newsstand could afford not to sell them. Here was someone who had spent years in the underworld, where he had known and worked for its most ferocious mobsters, and had survived to tell the tale. As Nadya Cholakova, the author of several volumes on the history of post-Communist organized crime, explained after Stoev's murder in an interview published in *Standart*, a Sofia daily, "Georgi Stoev was different [from investigative journalists]—he was his own kind of kamikaze. He literally declared to people from his world, 'I am one of you and I'll reveal your secrets.'… He was always ready to provide [journalists] with information and most of the times it proved accurate." Stoev returned empty-handed from his journey in the underworld, willing to sing to the regular folk about what he had seen. That backward glance would eventually cost him his life.

> 'The dirty intrigues we created ourselves forced us to destroy each other,' Stoev wrote.

"Georgi Stoev had an elephant's memory and absolutely gossipy curiosity. He knew how to work with information, which was his true capital," Ognyan Mladenov, Stoev's first publisher, told me. Vlado Daverov, the editor of Stoev's first books, adds, "He was a very intelligent boy, very well informed. But he hated the gangster world because that world had rejected him." Since Stoev had had no literary experience whatsoever when he started writing in 2006, Daverov assisted him with the technical elements of the craft. "Georgi was responsible for the content, and I did the writing," he says. The two men developed something akin to a friendship, discussing movies, one of Stoev's passions, in their spare time. The former gangster's ambition, however, constantly kept emotions on edge. "He really wanted to be famous, and made it in the end. He was ready to die in the name of fame. I've never seen such ambition," Daverov says. For one reason or another their relationship gradually soured, and Stoev embarked on an independent career with a new publisher, New Media Group, in 2007. Having learned Daverov's lessons well, Stoev went on to write his most personal work, the three-volume *Bulgarian Godfather* series.

Stoev's prose is clunky and littered with clichés, his plots sometimes implausible and ludicrous, but there is little doubt that he was an intriguing storyteller in possession of much sensitive information. A mélange of dime-store fiction, memoir and soap opera, his books purport to follow the vicissitudes of his three former employers—VIS, VIS-2 and SIC. Rather than present the big picture, the way a journalist or sociologist would have done, the ex-gangster depicts events on an intimate level from a first-person point of view. His books feature minutely reconstructed conversations between mobsters (bosses and foot soldiers), ruminations on the psychology behind organized crime, quotidian details concerning the routines of drug-traffickers and hit men and gossip about the private lives of prominent mafia members, including their eating habits and sexual predilections.

Indeed, one of Stoev's most significant contributions to Bulgaria's underworld of letters was his demythologization of gangsters, depicting them as ordinary people living almost ordinary lives. In many cases they are portrayed as little more than regular Georgis "behind whose slick appearance there was the village bumpkin from the countryside," as he wrote in the second volume of *SIC*. Another signature trait was his use of real names in his books. "I think we should start calling the spade a spade. Enough with rumors and veiled conjectures. Somebody needs to come out and say these things out loud," Stoev told Veneta Raykova of the celebrity TV show *Goreshto* ("Hot") in January 2008. At the beginning of the show, he placed his hand on a Bible, saying that he swore to tell nothing but the truth and that he was prepared to defend his claims in court if necessary. "I am ready to assume full responsibility for the things I say. I'm ready to stand trial, so I can prove my position.… Or let somebody at least come out and say that I'm lying," he added. No suits for slander or libel were ever filed against Stoev, so he kept on naming names.

A number of Stoev's books—especially the *Bulgarian Godfather* series—bravely tackled the burgeoning culture of contract killings: the killers, the weapons, the killed, the entire chain of command. No aspect of the subject was taboo. Stoev revealed details with professional panache. To kill somebody, he explained, was neither that difficult nor that expensive. Apart from a small number of skilled assassins, who were hired for the most sensitive cases, most killers were just average thugs, "hungry and pitiless," in need of fast cash. And here Stoev went on to challenge another popular myth: that the majority of contract killings were motivated solely by business interests and territorial disputes. In fact, he claimed, mafia murders in Bulgaria were more often triggered by personal rivalries, trivial disagreements or fear of a competitor. "One moment people embraced, and the next they were killed by friendly fire. You couldn't follow the logic, and things were not always just a matter of money. Paranoia had taken hold of everyone," he wrote in the second volume of *The Bulgarian Godfather*. That pervasive paranoia often pushed things over the edge, sparking internecine gang wars. "The dirty intrigues we created ourselves forced us to destroy each other."

Stoev told his most scandalous story in his final book, the third volume of *The Bulgarian Godfather*. He described how Gen. Luben Gotzev, the former deputy chief of foreign intelligence and former foreign minister (post-1989), was a principal architect of organized crime in Bulgaria, the person who used the extensive political and commercial connections of the old Communist Party to assist emerging crime syndicates in the 1990s. Although Stoev was hardly alone in hurling such allegations at Gotzev, he was the first to claim that the general had been secretly involved in a homosexual relationship with his protégé, the mafia boss Mladen Mihalev. The allegation was a grave insult in Bulgaria's macho society, one far worse than accusing someone of being a crook. The story was endlessly recycled and publicized like none of Stoev's others in various newspapers and on talk-shows, until it nearly became accepted as fact. Although Gotzev threatened to sue Stoev, he never did so, preferring instead to maintain his reticence. "I didn't know Georgi Stoev," Gotzev told me in his mild and fatherly voice during a phone conversation late last year. "I didn't have anything to do with him. Half of what he was writing was an invention." Which half was invented and which factual, however, Gotzev didn't specify.

Luben Gotzev wasn't Stoev's only critic. Doubts about the veracity of Stoev's work

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arose soon after the publication of his first book, *VIS*, in 2006. Some critics went so far as to suggest that everything Stoev had written was pure fabrication, that he had never been part of the mafia—that he had invented his past. One of Stoev's most malicious critics, Boyko Belenski, a hack novelist himself, published a book on the subject a few months after Stoev's death. *The Revenge: The Whole Truth About the Murder of Georgi Stoev* is a lurid potboiler trying to pass itself off as a "true novel"—a book in some ways not unlike Stoev's. It portrays Stoev as a wannabe mobster on drugs, whose "fogged-up brain" and "vain ambition" pressed him to fabricate stories about mafia figures he had never known personally. "Most people lie so they can save their skin; he was lying to make a flag out of it," Belenski wrote. There was little doubt whose flag of revenge Belenski was waving: throughout his book he implied that Stoev deserved his death for daring to tarnish the reputation of the big mob bosses of VIS, VIS-2 and SIC.

If Belenski's book looked like nothing more than cheap ventriloquism, it was less easy to discount serious commentators like Margarita Mihneva, a veteran journalist who interviewed Stoev on her television program, *Neudobnite* ("The Inconvenient Ones"), in early 2008. "Georgi Stoev imagined he could make a psychological profile of our society. But he invented things. His books were not reliable," she told me. Mihneva herself has reported on the mob, and in 2002 she received an anonymous threat—acid would be thrown in her face—after the airing of a TV broadcast in which she investigated the lavish property holdings of the notorious banker Slavcho Hristov and the current mayor of Sofia, Boyko Borisov. Mihneva found Stoev's tendency to mix fact and fiction disreputable: his books use real names while failing to meet the proper documentary rigor; they purport to present the truth but rely instead on little more than secondhand gossip. "His kind of journalism was not accurate and not helpful at all," Mihneva says. Time and again Stoev affirmed he was telling the truth, but the claim to authenticity is, after all, one of the oldest tricks in the novelist's bag. Could it be that Georgi Stoev was a fake mafioso who died a real mafioso's death?

If this were indeed the case, it would add a nice postmodern flourish to the tale, but it is not entirely plausible. There is simply more evidence pointing in the opposite direction. To separate the grain of personal experience from the chaff of gos-

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sip in Stoev's works would be difficult, if not impossible, as the two are so mixed up as to be almost indistinguishable. Nor is there a compelling reason to separate them. In the baffling post-Communist world of Bulgaria, gossip is often more reliable than official information—simply because gossip is often the only information available. Stoev's books captured that climate perfectly. Neither journalist nor novelist, he was a person who related what he had seen firsthand and heard from others. His "fictions" were as salient as his "facts." "Stoev came from a place where gossip is a major form of communication.

PETAR PETROV/ASSOCIATED PRESS

An unknown artist's Communist-era painting of former Bulgarian dictator Todor Zhivkov as Jesus during the Last Supper on display for the first time, in Sofia, in 2007

There information exists on a very primitive level. It's gossip, but it's also genuine gossip. Gossip that is never supposed to leave a small circle of friends," says Palmi Ranchev, a famous boxing coach and one of Bulgaria's most accomplished and talented novelists, whose book *Anonymous Snipers* won him national recognition. Ranchev's athletic background brought him in peripheral contact with many members of the underworld, including Georgi Stoev. "He was a bandit, all right. I knew him well," Ranchev told me. Quick to dismiss Stoev's novels as hackwork, Ranchev nevertheless does not doubt their core authenticity. In his opinion, Stoev's *oeuvre* could be classified as "denunciation reports with elements of fiction." But which exactly were those elements?

What seems likely is that on occasion Georgi Stoev adapted stories about mobsters he had heard from friends and associates in an attempt to impart greater weight to his narrative and to magnify the importance of his position as a gang member. Aiming to demythologize the lives of mobsters, he could not avoid mythologizing himself. Some of his claims seem like nothing but farcical swagger. "I was in the middle of the beehive with the queen bee," he boasted in *The Bulgarian Godfather*. That might have been the case, though he might also be exaggerating his claim to a perch on the upper rungs of the criminal hierarchy. Stoev tried to portray himself as a deft manipulator, a double-dealer who managed to survive by outmaneuvering his bosses and pitting them against each other. "As ludicrous as it all seemed, in that phoney world you always had to play roles," he wrote in the third volume of *The Bulgarian Godfather*. But then again, even if we allow that Stoev sometimes appropriated lines of characters more central than himself, it seems likely he did so only because he had spent enough time as a mobster to know the entire show by heart.

Perhaps the answer to the question of the veracity of Stoev's books lies beyond their covers. While churning out pulp, Stoev also supplied information to several of Bulgaria's leading newspapers. Slavi Angelov, the top investigative journalist of *24 Hours* and the author of *9 Millimeters*, an acclaimed volume on the history of the Bulgarian mafia, had a long and productive professional collaboration with Stoev, stretching back as far as 2003, on a series of articles about the deaths of contract killers. "The things he knew firsthand were very accurate, but the things he knew by hearsay were sometimes distorted or plain wrong," he says. Angelov double-checked each piece of information Stoev passed along and concluded it was true that Stoev had served important men in the criminal world and that he possessed many valuable and compromising facts about them. "Without any doubt he was part of those networks and had access to information. He was killed because of the scandals he created with his last books."

The murder of Georgi Stoev shocked even the most skeptical observers. His death was the missing piece of evidence that seemed to prove, in the most ghastly manner, that there was a degree of truthfulness to his books after all. Even people who had never liked Stoev conceded the point. "His death," complained the journalist Martin Karbovski in *Standart*, "legitimized his stupid books written with a vocabulary of four-hundred words." As Tihomir Bezlov, the chief crime expert from the Center for the Study of Democracy, told Darik Radio, "It's obvious that there are many exaggerated claims in Stoev's books that sound bogus, but he was also a very well informed man and obviously there was a motive behind his murder."

The three shots that rang out on April 7, 2008, revived the painful memory of another hit job—the murder of the dissident Bulgarian writer Georgi Markov in London in 1978. According to leaked files, a Bulgarian State Security agent fatally poisoned Markov with a pellet fired from a modified pen. Like Stoev, Markov had been a longtime confidant to his future assassins—the Communist Party in his case—before brazenly turning against them. He defected in 1969 and later worked as a journalist for the BBC and Radio Free Europe, while also writing a series of scathing sketches and articles on totalitarian Bulgaria eventually collected in his book *In Absentia Reports*. Markov was a more accomplished novelist, one of Bulgaria's best, but Stoev's courage in standing up to unveil the mafia did not pale in comparison.

The investigation of Stoev's murder eventually foundered. Despite the fact that he was executed at noon in front of myriad witnesses (unlike the mystifying 007 operation against Markov), the unmasked hit men slipped away without a trace. The police interrogated Stoev's "book characters" without much success. "I haven't read his books," Mladen Mihalev was reported to have told detectives. Tabloids rehashed various tales, from the fairly credible (a Bulgarian mafia boss had paid 50,000 euros to Ukrainian thugs to kill Stoev) to the bizarre (Stoev had contracted his own murder). No official government account of the murder exists. Unsurprisingly, finding the assassins—the hit men as well as the masterminds—gradually began to look like a doomed enterprise. Since

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the mid-1990s, gang-style shootings had been occurring on an almost daily basis in Bulgaria, with the fatality list including not only mobsters but also football-club managers, athletes, bankers, insurance agents, customs officials and even a former prime minister of the country, Andrey Lukanov. They were all people who at one time had been linked to organized crime either as quiet participants or unruly detractors. Even when Bulgaria finally introduced numerous reforms in law enforcement and the judiciary in the early years of the new century in preparation for accession into the European Union, the assassinations continued. According to a report issued by the Center for the Study of Democracy in 2007, contract killings remained "the most efficient and inexpensive instrument to solve serious economic problems." Between 2000 and 2005 there were at least 156 such killings (about 13 percent of all homicides) with only seventeen of them solved. Bulgaria unfortunately became known as the "Sicily of the Balkans."

When Bulgaria joined the European Union in 2007, the expectation of officials in Brussels and citizens in Sofia was that the EU's modern rules and regulations would curb the power of the country's criminal organizations. Yet organized crime had already modernized itself. Whereas during the 1990s the Bulgarian mafia had restricted itself to traditional activities like drug trafficking, racketeering, car theft and gambling, in the early years of the new century it branched out into tax evasion, money laundering, real estate speculation, the siphoning of EU accession funds and manipulation of bids on public procurement projects. New players arrived as well. With most of the criminal syndicates a shambles because of bad management or infighting, their leaders either assassinated or gone into hiding, the more intelligent and insidious oligarchs took over. Many of them were people who had been tangentially involved in the Bulgarian underworld in the 1990s and had subsequently used their capital to monopolize major industries like water supply, garbage collection, telecommunications and electricity. With the government's covert blessing, they partitioned Bulgaria into economic spheres of influence, out of which they continued to extract, in a semi-legal fashion, enormous dividends. Once a Soviet satellite, Bulgaria was slowly turning into a miniature of Putin's new Russia. What little difference had once existed between the government and the criminal underworld vanished, leading to what the German investigative journalist Jürgen Roth has called, in his controversial book *The New Bulgarian Demons*, "the complete overlap between state functionaries and people from criminal organizations." Roth was not alone in his dire assessment. As Yane Yanev, an opposition MP and one of the few active whistleblowers in Bulgaria, recently told me, "There has been no government system in Bulgaria in the last twenty years. It's a quasi state. There's danger now that the mafia will completely take over the country."

In that sense, the type of "wrestler" mafia Stoev wanted to expose was long defunct, quietly disguised in a suit and tie. By the time he began writing, his books were already passé. But whether out of the desire for revenge or a longing to atone for the many sins of his past, Stoev harbored ambitions beyond writing. Far from feeling content with the popularity and high sales of his books, Stoev still aspired to effect some kind of social change, even if belated; he had hoped the proper authorities would take his texts seriously and would use them as a basis for investigating and then prosecuting those underworld bosses he knew who were still alive. "When the first book about Mladen Mihalev came out, we went into hiding in the countryside. We were waiting for a call from the main office of the prosecutor," Dobrin Dodev recalls. (Dodev was standing next to Stoev when he was murdered.) No such call came. The louder the discussion of Stoev's books grew, the quieter the government agencies became about their allegations. Stoev was never even offered basic police protection. (Despite my numerous requests, the Bulgarian police refused to comment for this article.)

Luckily, or lethally, for him, in the last several months of his life Stoev managed to secure interviews with some of Bulgaria's biggest media outlets, finally attaining the national exposure he had so desperately sought. "The surest way to remove a person is by ignoring him," Stoev told Veneta Raykova on *Goreshto* in early 2008. With a firm but anxious voice, he addressed his compatriots from the screen: "I insist that the police and the prosecution do their job and give me their attention. I insist that they stop behaving as if they don't know me and nothing of what I say is true. Because I think it's getting dangerous for me.... I insist, here, before the whole of Bulgaria, that those people give me their attention." At the end of the show, Raykova lightheartedly asked Stoev to predict the next contract killing in Bulgaria. Stoev, already visibly tired, answered, "I can only predict my own murder." ■

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ZEITGEIST FILMS

Hatice Aslan as Hacer (left) and Yavuz Bingöl as Eyüp in *Three Monkeys*

Pure Cinema

by STUART KLAWANS

It's not that I'm indifferent to the new *Star Trek* movie—I'm so keyed up about it, I can scarcely type, what with my fingers locked in a Vulcan salute—but as the deadline for this article approaches, Paramount has not yet invited me to a screening, so I can't tell you on which notch the picture's been set: stun, kill or fizz. What to do? I suppose I'll have to report that the most exciting new film I've actually seen is a hand-crafted, microbudget production featuring four no-name actors speaking Turkish.

Although the doom of the art house lies upon it, this adventuresome film is presented in CinemaScope format, deploys special effects throughout (that is, postproduction adjustments to the photography) and draws you into many strange and mind-altering spaces—so it's not entirely unlike a science-fiction blockbuster.

There's even a thematic link to *Star Trek*, which (according to the trailer) has something to do with a young man's sense of responsibility toward his father. So, too, does Nuri Bilge Ceylan's *Three Monkeys*—although here the comparisons end. The crosscurrents of debts and evasions, guilty secrets and frustrated desires are so dense among all of Ceylan's characters that they seem to generate an atmosphere of their own: an envelope of heavy clouds shot through with electrical discharges, hanging over an alien world where we all happen to live.

Call it Istanbul. On the outskirts, overlooking the railroad tracks and a sea busy with freighters, stands the stalk of an isolated old apartment building, about five stories tall and one room deep. Here, edging past one another, live a handsome middle-aged woman named Hacer (Hatice Aslan), her layabout late-adolescent son, Ismail (Ahmet Rifat Sungar), and her thick-bodied, gravely mustached husband, Eyüp (Yavuz Bingöl), who works as a driver for a political figure. The family can go up to the roof to watch storms gather or maybe contemplate jumping. They can eat lunch at a table jammed against the window and ignore the framed view of the sea, which resembles a picture postcard of a place they won't visit, though they're already there. They can spy on one another. (It can't be avoided.) And they can experience the change in atmosphere, inside and out, when the husband is subtracted from this place and then returns, almost a year later, having made a sacrifice for Hacer and Ismail—or perhaps having made a sacrifice of them.

Eyüp has accepted a bargain that was offered, or demanded, by his boss Servet (Ercan Kesal), who at the start of *Three Monkeys* has killed a man in a hit-and-run accident and thinks that with the elections coming up, it's not an auspicious moment to turn himself in. If Eyüp will take the blame for him, Servet will continue to pay his salary and then will provide a large cash bonus upon his release from jail. An outrageous proposition, semi-feudal in tone, made by a man who has the head of Mussolini and the bluster to match; and Eyüp, who's been roused from his bed before dawn, scarcely hesitates before nodding his creased and weary face.

It's as if he'd given in beforehand. Over the next months, in his absence, Eyüp's wife and son will struggle not to be such pushovers.

But as Ceylan knows, the decisive acts in our lives are often the ones we don't carry out: the brushoff that Hacer doesn't give Servet, the insistent cellphone call

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that she doesn't answer, the prison visit that Ismail doesn't make, the familial violation that he doesn't confront. To an astonishing degree, *Three Monkeys* is made up of such non-occurrences, which Ceylan has a freakish talent for converting into endlessly sustained moments of intense drama. The violence in his characters' lives, though omnipresent, has always already happened or is only now about to occur. You see it on the living room floor, in drops of blood that have fallen from Ismail's injured hand (the injury unexplained, the blood unmentioned), or on the kitchen counter, in a knife that is trembling in the breeze, literally, as if demanding to be used. And when Eyüp returns, sex too is deferred, and threatened, and made indistinguishable from the potential for murder, in a breath-takingly protracted scene that keeps two characters on top of each other, and the camera on top of the actors, and you on top of the customer in the row ahead.

What is it about *Three Monkeys* that pulls you out of yourself? The answer, which marks this film as pure cinema, is "Everything at once." Where other directors might set the scene with an establishing shot, Ceylan uses sound. Where others would use sound to fill out the emotional volume of a sequence, Ceylan uses editing. And where others would introduce a car crash, Ceylan holds the camera steady on Hatice Aslan's face and lets her show you the light going out of her eyes. There isn't an element, a gesture, a moment of *Three Monkeys* that doesn't lock in with the others and feel true—even when the emphatically real environment of the movie turns other-worldly and the atmosphere of the family apartment becomes even thicker with the addition of a ghost.

This film is set on "stun."

You could hire Tilda Swinton to put on a funny outfit and represent herself, as one of the coolest people you could invite into a movie; or you could hire her to create a character, which she can do right down to the fillings in her teeth. The distinction between these two approaches is more or less the difference between Jim Jarmusch's *The Limits of Control* (in its way, another exercise in pure cinema) and Erick Zonca's *Julia*, which is as impure as the tailpipe of an '87 Buick, and all the better for it.

The writer-director of a brilliant 1998 debut feature, *The Dreamlife of Angels*, Zonca subsequently fell into a decade of silence. Now, with *Julia*, he's come roaring back with a long, harrowing, deliberately ungainly picture: part character study of a middle-aged, middle-class alcoholic careening toward the bottom in Los Angeles, and part thriller about an addlebrained kidnapping scheme, which is just competent enough to leave a 9-year-old boy in this woman's unsteady hands. Early reviewers noted with disapproval a superficial resemblance to Cassavetes's *Gloria*, in which a ferocious Gena Rowlands went on the lam with a child. (As Brahms retorted, when critics said the big song in his first symphony sounded like "Ode to Joy," "Any ass can get that.") I've also read complaints that the title character in *Julia* is too unredeemable; that she's too easily redeemed; that Zonca had no business making a movie in Los Angeles; that he should have kept the action in Los Angeles, rather than carry it into Tijuana; and that mainstream audiences (here comes the commercial imperative) won't sit through anything this tough.

How timid these objections seem, next to the spectacle of Swinton throwing herself recklessly into a character who throws herself recklessly against life. Almost unrecognizable in the first scene in her trolling-the-bars get-up, complete with glitter-dusted eyelids and a skimpy paillette dress, Swinton defines Julia by taking a blurry pause amid a crush of revelers, as if she'd forgotten why she was on her feet, and then launching herself forward again with an upward swoop of the arm (the one not holding the drink). The next morning finds her staggering out of a strange man's car; but it's a good car and he's wearing a suit, and so this opening degradation is actually Julia's high point. From here, using her amazing store of nervous energy, bile and bad judgment, she will make every disastrous situation instantly worse. When she's blown her job through chronic drunkenness and vituperation, she will borrow a financial plan from a psycho. When she's two thousand dollars in debt to a drug dealer, she will think it's a good idea to make it three. When she fears that cops on the street may be watching her, she will get rid of the uncertainty by stealing a car at gunpoint. Everything Julia does is appalling; and given Swinton's jittery, sweaty, dry-mouthed, lie-spewing performance, everything about her is immediate and physical.

In interviews, Zonca has claimed he got the idea for this character from a Helmut Newton photograph of a beautiful red-haired woman driving a BMW. "I immediately wanted to confront this glamorous image with something more violent," he has said, putting himself in the tradition of pretense-hating moralists. This attitude might have seemed corny when *Julia* had its premiere at

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the Berlin festival early last year; but since then, people have grown newly critical of the scams and excesses of the would-be rich. It's possible that audiences now will find pleasure, and even meaning, in watching a busted corporate player (in real estate, no less) drive herself into the wall and then keep going. But *Julia* also offers something like the elemental pleasure of drunkenness itself: a crazy, dirty vitality, which stops only with the blackout and then can get restarted with the next sip of vodka.

This vitality is what I miss in Jarmusch's *The Limits of Control*.

A kind of philosophical scavenger hunt through Spain, *The Limits of Control* stars Isaach De Bankolé as a lone, still, nameless secret agent who passes from place to place, rendezvous to rendezvous, receiving coded instructions and deep thoughts from a series of contemporary cinema's hippest actors. Tilda Swinton is one. The others include Gael García Bernal, John Hurt, Hiam Abbass, Alex Descas, Paz de la Huerta and the man himself, Bill Murray. Here are the singular personalities you're supposed to have in a movie. And here, too, are the other ingredients: suggestive objects and mysterious utterances, varied settings and gratuitous nudity, a musical performance, a threat of violence and much conspicuously gorgeous cinematography to capture them all. (The man with the camera is Christopher Doyle, who once again proves why "the great" is now part of his name.) This is about as pure, and self-conscious, as cinema gets—and so that you don't miss the point, Swinton's contribution to the code-talk is a speech about the joy of watching movies.

You could call this playful; or, if you're in my chair, you could say it's airless, repetitive and artificial. I ask, The limits of *whose* control? Not Jarmusch's, unfortunately. The epigraph he's chosen, from Rimbaud's "The Drunken Boat," raises the hope of unmoored filmmaking: images and sounds more discovered than made, recorded on a voyage that has slipped out of hand. But in the end, the controllers referred to are the usual men in suits, whom Jarmusch opposes with buttoned-up bohemianism. He's made a pure object of modern art, all right; but *ceci n'est pas un film*.

Your May Day Parade of Cinema: If you have grown nostalgic for actually existing socialism, or are too young to have known it firsthand, Anthology Film Archives invites you to step into a republic of balalaika orchestras, scientific beet farming, ringing proletarian dramas and voluntarily surpassed steel quotas, as seen in Sergei Loznitsa's documentary *Revue*. As in his 2006 film *Blockade*, Loznitsa re-creates a lost world by piecing together extraordinary archival footage, presented with no commentary other than telling juxtapositions. But whereas *Blockade* seemed to transport you into the siege of Leningrad, *Revue* is about happier and more confident times in the Soviet Union. Comrade Khrushchev addresses words of encouragement to the regional agricultural workers; Yuri Gagarin rides proletarian optimism into the skies; smiling though gloveless men (carted in from an undisclosed location) build roads across frozen Siberia; and first graders in a small-town school begin learning about the socialist future, which they have now outlived by twenty years.

Fascinating, droll, touching and mordant, *Revue* is having its New York theatrical premiere at Anthology from May 13 to 19, as part of a small retrospective of the films of Loznitsa. Moviegoers who cannot make it to Anthology may want to know that *Revue* is also available on DVD, released by Icarus Films. ■

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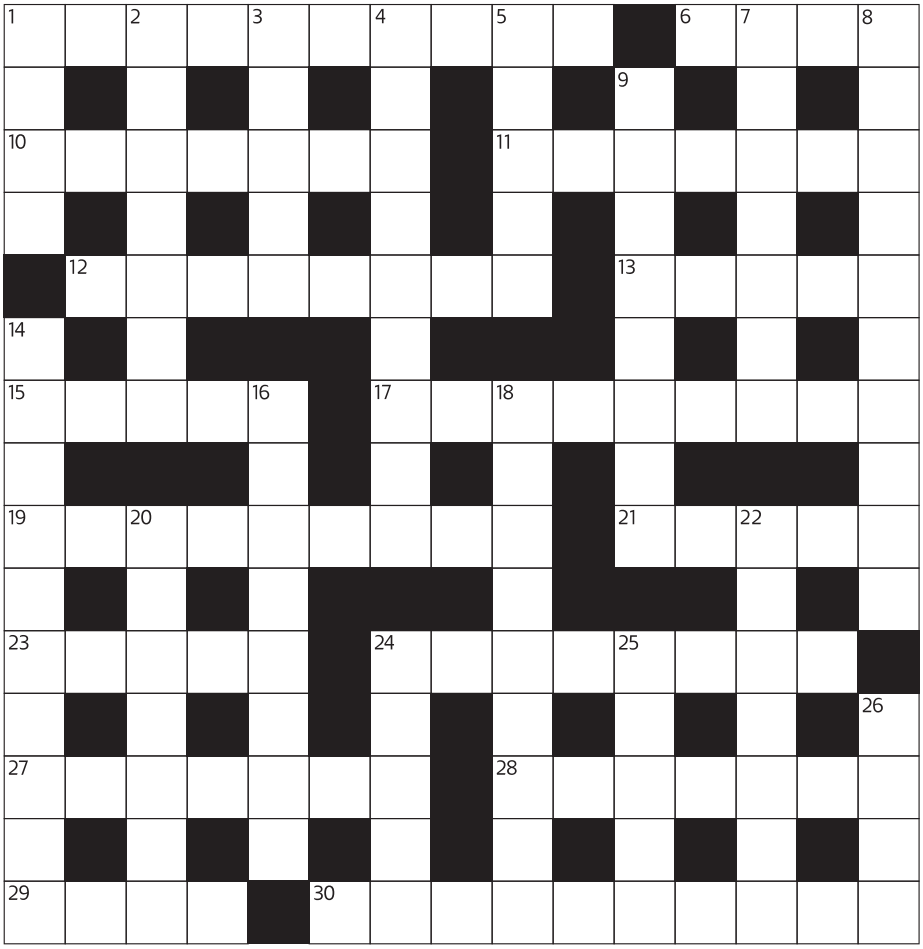

ACROSS

1 and **6** Make a formal speech to the dancers, as one might do before driving off. (7,3,4)

10 It's crazy, fame! Fur makes this winter warmer. (7)

11 At the end of labor, the CIA improperly has a large number making a kind of acid. (7)

12 The Bayeux example is noted, but you get certain recordings with effort. (8)

13 The quest for one is legendary, with a large number going by what the train runs on. (5)

15 A broken-down stair gets you moving! (5)

17 Turns out to be around what many a business tacks on its name, but they're found away from big cities. (9)

19 A small cafe in Paris makes the state troubled about what belongs to me. (9)

21 "Sir," for example—submit it legally for show. (5)

23 What? Not a loss once more! (5)

24 You'll have to praise a number, to start with, to find another number—from poppies! (8)

27 Almost all play has a club, for example—and this might advertise it. (7)

28, 1 down and **26** down Diamond enthusiasts might want to have them. (Cotton or wool to confirm with confidence how old you are!) (7,8)

29 Newt might be an example of such, and get left so they can display it. (4)

30 Makes up the material on a sort of seat. (10)

DOWN

1 See 28 across

2 Put his feet down and up around the guy not working now. (7)

3 What's the point to a crazy duel when you get to escape by trickery? (5)

4 Not out, and not finishing typing what might relate to a holding force on the baby's necessity? (6-3)

5 Just a favorite part-time activity, but gets a little shot in the barge. (5)

7 Possibly coy maneuver of the CIA, which proves out of date. (7)

8 Black doesn't start to desire the queen, due to a ho-hum appearance. (10)

9 Hauled in bad parlance the essential part for one who might dish out a dose. (8)

14 Commanded the unknown symbol to end up plentiful! (You shouldn't set one for the kids!) (3,7)

16 One from Italy accompanies a Scotsman to present one from Bucharest. (8)

18 It's not "in," and more insensitive, to have more fighters on your side! (9)

20 Likely found at elevenses, or at 4 PM, but teacher loses her art to prove it! (3-4)

22 Traveler—stout, disheveled—moves around the little, very little state. (7)

24 The tattooed lady is disturbed daily. (5)

25 City in Italy rises where there's room at the top. (5)

26 See 28 across

SOLUTION TO PUZZLE NO. 3168

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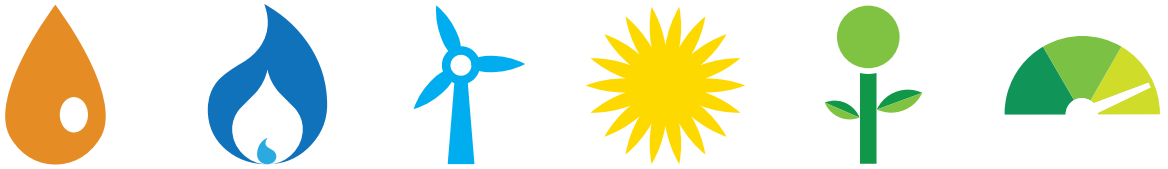

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